NO. 73195-5-I

COURT OF APPEALS, DIVISION ONE SUPERIOR COURT OF THE STATE OF WASHINGTON

WARREN E. BOHON

Appellant,

vs.

CITY OF STANWOOD,

Cell (425) 463-8460

Respondent,

BRIEF OF APPELLANT

Warren E. Bohon, Pro se

881 port Susan Terrace

Camano Island Wa 98282

RECEIVED

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APPELLANT BRIEF KEATING, BUCKLIN & M.OORMACK, INC., E.G.

On October 20,1992 STANWOOD – PUBLIC- WORKS supervisor

Robert Donohoe hired me as a Public Works Department Employee,
he assigned me a public works department vehicle. He assigned me to an

Office in the Public Works Building located adjacent to the City of Stanwood
(COS) LAGOON.

a Public Works Storm water and Sewer Division was in an office below mine. John Mc Gill was the Public Works Manager of that division.

A Public Works Water (Potable) Division Office was also below mine.

The "Potable Water" division Manager was William (Bill) Beckman.

Kevin Hushaugen worked for John Mc Gill in the sewer division.

John Case, Rodney (Rod) Sundberg and Tom Heaphy worked in the Water Division for Bill Beckman.

I was hired as the COS Code Enforcement Officer originally working part time and directed to attend Night College courses at Everett Community College which required am additional Employment 12 hours a weeks.

In December 1992 I was given Building Inspector Work requiring increasing hours per week because COS was becoming the Fastest Growing City in the State of Washington. There was a Teamster Union Collective Bargaining agreement (CBA) for all Public Works Employees working over 800 hours

per year which I only learned of from Kevin Hushaugen.

Upon inquiring about getting included in the CBA I was told by Joyce George the Personnel Clerk. I was not a Public Works Employee.

The City Growth, night school and relocation of my residence
And change of City Mayor and Public Works Supervisor all
At the same time caused a general shuffling of COS job
Positions and work responsibilities.

At a night school coffee break I learned from another Military

Veteran of Preference Employment benefits. When I inquired

of the new Public Works Supervisor. He said well Warren

he was also a vet and would check into it and let me know

what he found out. His statement afterward to me was that

I did not qualify for any Veteran Employment benefits.

He intentional misinformed me. Because I later found out that

I was entitled to Veterans preference points Benefits when

asking for a job. The public works supervisor told me wrongfully so I would

not be able to out bid him for a job.

Subsequently Bill Beckman asked my help to investigate what he Though might be illegal water consumption at farm supplied water by by the city.

I was able to quickly solve the problem and during the investigation report contact with Bill Beckman and John Case it was obvious to me Beckman

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct

Signed this 19th day of May, 2016 at Camano Island, Washington.

WARREN E. BOHON

BOHON BRIEF

RCW 43.08.140 Embezzlement — Penalty.

If any person holding the office of state treasurer fails to account for and pay over all moneys in his or her hands in accordance with law, or unlawfully converts to his or her own use in any way whatever, or uses by way of investment in any kind of property, or loans without authority of law, any portion of the public money intrusted to him or her for safekeeping, transfer, or disbursement, or unlawfully converts to his or her own use any money that comes into his or her hands by virtue of his or her office, the person is guilty of a class B felony, and upon conviction thereof, shall be imprisoned in a state correctional facility not exceeding fourteen years, and fined a sum equal to the amount embezzled.

[2003 c 53 § 224; 1992 c 7 § 40; 1965 c 8 § 43.08.140. Prior: 1890 p 644 § 10; RRS § 11027; prior: 1886 p 105 § 11.]

Notes:

Intent -- Effective date -- 2003 c 53: See notes following RCW 2.48.180.

Misappropriation of funds: RCW 42.20.070, 42.20.090.

Chapter 42.20 RCW Misconduct of public officers

RCW Sections

- 42.20.020 Powers may not be delegated for profit.
- 42.20.030 Intrusion into and refusal to surrender public office.
- 42.20.040 False report.
- 42.20.050 Public officer making false certificate.
- 42.20.060 Falsely auditing and paying claims.
- 42.20.070 Misappropriation and falsification of accounts by public officer.
- 42.20.080 Other violations by officers.
- 42.20.090 Misappropriation, etc., by treasurer.
- 42.20.100 Failure of duty by public officer a misdemeanor.
- 42.20.110 Improper conduct by certain justices.

Notes:

Bidding offenses: Chapter 9.18 RCW.

Bribery or corrupt solicitation prohibited: State Constitution Art. 2 § 30.

optional municipal code, council-manager plan, forfeiture of office for misconduct: RCW 35A.13.020. optional municipal code, mayor-council plan, forfeiture of office for misconduct: RCW 35A.12.060.

Cities and towns, commission form, misconduct of officers and employees: RCW 35.17.150.

County officers, misconduct: RCW 36.18.160, 36.18.170.

County treasurer, suspension for misconduct: RCW 36.29.090.

Election officials, misconduct: Chapter 29A.84 RCW.

Flood control district officers, interest in contracts prohibited: RCW 86.09.286.

Forfeiture of office upon conviction of felony or malfeasance: RCW 9.92.120.

Free transportation for public officers prohibited: State Constitution Art. 2 § 39, Art. 12 § 20.

Impersonating public officer: RCW 9A.60.045.

Juries, misconduct of public officers concerning: Chapter 9.51 RCW.

Militia, misconduct: Chapter 38.32 RCW.

Official misconduct: RCW 9A.80.010.

Penitentiary employees, misconduct: RCW 72.01.060.

Private use of public funds, penalty: State Constitution Art. 11 § 14.

School funds, failure to turn over: RCW 28A.635.070.

School officials

disclosing examination questions: RCW 28A.635.040.

grafting: RCW 28A.635.050.

School teachers

failure to display flag: RCW 28A.230.140. failure to enforce rules: RCW 28A.405.060.

revocation or suspension of certificate or permit to teach — investigation by superintendent of public instruction — mandatory revocation for crimes against children: RCW 28A.410.090.

State and judicial officers, impeachment: State Constitution Art. 5.

State treasurer, embezzlement: RCW 43.08.140.

Subversive activities, disqualification from holding public office: RCW 9.81.040.

Utilities and transportation commission members and employees, interest in regulated companies prohibited: RCW 80.01.020.

Chapter 43.01 RCW State officers — general provisions

RCW Sections

- 43.01.010 Terms of office.
- 43.01.020 Oath of office.
- 43.01.035 Reports Periods to be covered.
- 43.01.036 Reports Electronic format Online access.
- 43.01.040 Vacations -- Computation and accrual -- Transfer -- Statement of necessity required for extension of unused leave.
- 43.01.041 Accrued vacation leave -- Payment upon termination of employment.
- 43.01.042 Vacations -- State institutions of higher learning.
- 43.01.043 Vacations -- Rules and regulations.
- 43.01.044 Vacations -- Accumulation of leave in excess of thirty days authorized without statement of necessity -- Requirements of statement of necessity.
- 43.01.045 Vacations Provisions not applicable to officers and employees of state convention and trade center.
- 43.01.047 Vacations -- Provisions not applicable to individual providers, family child care providers, adult family home providers, or language access providers.
- 43.01.050 Daily remittance of moneys to treasury Undistributed receipts account Use.
- 43.01.060 Daily remittance of moneys to treasury Treasurer's duty on default.
- 43.01.070 Daily remittance of moneys to treasury Liability of officers for noncompliance.
- 43.01.072 Refund of fees or other payments collected by state.
- 43.01.073 Refund of fees or other payments collected by state -- Voucher.
- 43.01.074 Refund of fees or other payments collected by state -- Warrant.
- 43.01.075 Refund of fees or other payments collected by state -- Limitation where amount is two dollars or less.
- 43.01.090 Departments to share occupancy costs -- Capital projects surcharge.
- 43.01.091 Departments to share debt service costs.
- 43.01.100 Application forms Employment Licenses Mention of race or religion prohibited -- Penalty.
- 43.01.120 Accidental death and dismemberment coverage during aircraft flights for state officers, employees, and legislators.
- 43.01.125 Duty to identify employees whose performance warrants termination from employment.
- 43.01.135 Sexual harassment in the workplace.
- 43.01.150 Power to employ or appoint personnel not to include authority to provide state owned or leased motor vehicle.
- 43.01.160 State publications to be in gender-neutral terms Exception Effect of noncompliance.
- 43.01.200 Facilitating recovery from Mt. St. Helens eruption -- Legislative findings -- Purpose.
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- 43.01.220 Commute trip reduction -- Parking revenue -- Definitions.
- 43.01.225 Commute trip reduction -- Parking revenue -- State vehicle parking account.

RCW 43.01.125: Duty to identify employees whose performance warrants termination fro... Page 1 of 1

RCW 43.01.125

Duty to identify employees whose performance warrants termination from employment.

It is the responsibility of each agency head to institute management procedures designed to identify any agency employee, either supervisory or nonsupervisory, whose performance is so inadequate as to warrant termination from state employment. In addition, it is the responsibility of each agency head to remove from a supervisory position any supervisor within the agency who has tolerated the continued employment of any employee under his or her supervision whose performance has warranted termination from state employment.

[1985 c 461 § 15.]

Notes:

Severability - 1985 c 461: See note following RCW 41.06.020.

Adoption of rules to remove supervisors tolerating inadequate employees: RCW 41.06.196.

- 43.01.230 Commute trip reduction Use of public funds.
- 43.01.235 Commute trip reduction -- Higher education institutions -- Exemption.
- 43.01.236 Commute trip reduction Institutions of higher education Exemption.
- 43.01.240 State agency parking account Parking rental fees Employee parking, limitations.
- 43.01.250 Electric vehicles State purchase of power at state office locations Report.
- 43.01.900 Terminated entity -- Transfer of assets -- Reversion of funds -- Contractual rights -- Rules and pending business -- 2010 1st sp.s. c 7.

Notes:

Abolition of certain offices by legislature: State Constitution Art. 3 § 25.

Accounts, falsifying: RCW 42.20.070.

Actions against, defense by state: RCW 4.92.060, 4.92.070, 4.92.090 through 4.92.160, 10.01.150.

Boards and commissions, termination: RCW 43.41.220.

Bribery: State Constitution Art. 2 § 30; chapters 9.18, 9A.68 RCW.

Business hours, state officers: RCW 42.04.060.

Campaign financing, disclosure: Chapter 42.17 RCW.

Civil service law: Chapter 41.06 RCW.

Civil service rights preserved when elective office assumed: RCW 41.04.120.

Collection agency use by state: RCW 19.16.500.

Compensation not to be changed during term: State Constitution Art. 2 § 25, Art. 3 § 25, Art. 28 § 1.

Continuity of government during emergency periods: State Constitution Art. 2 § 42; chapter 42.14 RCW.

Debts owed to state, interest rate: RCW 43.17.240.

Elections

contested: State Constitution Art. 3 § 4. time of: State Constitution Art. 6 § 8.

Ethics provisions: Chapter 42.52 RCW.

Expense accounts, falsifying: RCW 9A.60.050.

Expenses and per diem: RCW 43.03.050.

False personation of public officer: RCW 42.20.030.

Free transportation prohibited: State Constitution Art. 2 § 39, Art. 12 § 20.

Grand jury inquiry as to misconduct: RCW 10.27.100.

Hospitalization and medical aid for employees and dependents: RCW 41.04.180, 41.04.190.

Impeachment, who liable to: State Constitution Art. 5 § 2.

Information to be furnished to governor in writing: State Constitution Art. 3 § 5.

Interchange of personnel between federal and state agencies: RCW 41.04.140 through 41.04.170.

Interfering with law enforcement officer: RCW 9A.76.020.

Intrusion into public office without authority: RCW 42.20.030.

Jury duty, exemption from: RCW 2.36.080.

Limitations of actions: Chapter 4.16 RCW.

Meetings, open to public: Chapter 42.30 RCW, RCW 42.32.030.

Mileage allowance: RCW 43.03.060.

Military leave of absence: RCW 38.40.060.

Misappropriation of funds or property: RCW 40.16.020, 42.20.070, 42.20.090.

Misconduct of public officers: Chapter 42.20 RCW.

Misfeasance in office: RCW 42.20.100.

Neglect of duty: RCW 42.20.100.

Passes, acceptance and use prohibited: State Constitution Art. 2 § 39, Art. 12 § 20.

Performing duties without authority: RCW 42.20.030.

Postage, periodicals, purchase by governmental agencies, payment: RCW 42.24.035.

Privileged communications: RCW 5.60.060.

Purchasing, acceptance of benefits or gifts by state officers prohibited: RCW 42.20.020, 43.19.1937.

Qualifications: State Constitution Art. 3 § 25; RCW 42.04.020.

Quo warranto proceedings: Chapter 7.56 RCW.

Recall of elective officers: State Constitution Art. 1 § 33.

Records and documents, destroying, falsifying, misappropriation: RCW 40.16.020, 42.20.040.

Records to be kept at seat of government: State Constitution Art. 3 § 24.

Refusing to pay over money received: RCW 42.20.070.

Residence requirement during term: State Constitution Art. 3 § 24.

Resignations, to whom made: RCW 42.12.020.

Retirement system, state employees: Chapter 41.40 RCW.

Salaries and expenses: Chapter 43.03 RCW.

Seal, refusing to surrender to successor: RCW 42.20.030.

Successor, refusing to surrender office to: RCW 42.20.030.

Supreme court jurisdiction as to state officers, writs: RCW 2.04.010.

Terms: State Constitution Art. 3 § 3.

Tort claims against state: Chapter 4.92 RCW.

Usurpation of office, quo warranto proceedings: Chapter 7.56 RCW.

Venue of actions against: RCW 4.12.020.

Wage deductions for charitable contributions: RCW 41.04.035, 41.04.036.

RCW 42.20.100

Failure of duty by public officer a misdemeanor.

Whenever any duty is enjoined by law upon any public officer or other person holding any public trust or employment, their wilful neglect to perform such duty, except where otherwise specially provided for, shall be a misdemeanor.

[1909 c 249 § 16; RRS § 2268. Prior: Code 1881 § 889; 1854 p 90 § 82.]

Notes:

Official misconduct by public servant: RCW 9A.80.010.

15 RCW 42.20.070: Misappropriation and falsification of accounts by public officer. 15 Page 1 of

RCW 42.20.070

Misappropriation and falsification of accounts by public officer.

Every public officer, and every other person receiving money on behalf or for or on account of the people of the state or of any department of the state government or of any bureau or fund created by law in which the people are directly or indirectly interested, or for or on account of any county, city, town, or any school, diking, drainage, or irrigation district, who:

- (1) Appropriates to his or her own use or the use of any person not entitled thereto, without authority of law, any money so received by him or her as such officer or otherwise; or
- (2) Knowingly keeps any false account, or makes any false entry or erasure in any account, of or relating to any money so received by him or her; or
 - (3) Fraudulently alters, falsifies, conceals, destroys, or obliterates any such account; or
- (4) Willfully omits or refuses to pay over to the state, its officer or agent authorized by law to receive the same, or to such county, city, town, or such school, diking, drainage, or irrigation district or to the proper officer or authority empowered to demand and receive the same, any money received by him or her as such officer when it is a duty imposed upon him or her by law to pay over and account for the same,

is guilty of a class B felony and shall be punished by imprisonment in a state correctional facility for not more than fifteen years.

[2003 c 53 § 219; 1992 c 7 § 37; 1909 c 249 § 317; RRS § 2569. Prior: Code 1881 § 890; 1873 p 202 § 92; 1854 p 91 § 83.]

Notes:

Intent - Effective date - 2003 c 53: See notes following RCW 2.48.180.



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RCWs > Title 9 > Chapter 9.92 > Section 9.92.120

<u>9.92.110</u> << 9.92.120 >> <u>9.92.130</u>

RCW 9.92.120

Conviction of public officer forfeits trust.

*** CHANGE IN 2011 *** (SEE 5045.SL) ***

The conviction of a public officer of any felony or malfeasance in office shall entail, in addition to such other penalty as may be imposed, the forfeiture of his office, and shall disqualify him from ever afterward holding any public office in this state.

[1909 c 249 § 37; RRS § 2289.]

Notes:

Forfeiture or impeachment, rights preserved: RCW 42.04.040.

Misconduct of public officers: Chapter 42.20 RCW.

Vacancy of public office, causes: RCW 42.12.010.

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Notes:

Abolition of certain offices by legislature: State Constitution Art. 3 § 25.

Accounts, falsifying: RCW 42.20.070.

Actions against, defense by state: RCW 4.92.060, 4.92.070, 4.92.090 through 4.92.160, 10.01.150.

Boards and commissions, termination: RCW 43.41.220.

Bribery: State Constitution Art. 2 § 30; chapters 9.18, 9A.68 RCW.

Business hours, state officers: RCW 42.04.060.

Campaign financing, disclosure: Chapter 42.17 RCW.

Civil service law: Chapter 41.06 RCW.

Civil service rights preserved when elective office assumed: RCW 41.04.120.

Collection agency use by state: RCW 19.16.500.

Compensation not to be changed during term: State Constitution Art. 2 § 25, Art. 3 § 25, Art. 28 § 1.

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Hospitalization and medical aid for employees and dependents: RCW 41.04.180, 41.04.190.

Impeachment, who liable to: State Constitution Art. 5 § 2.

Information to be furnished to governor in writing: State Constitution Art. 3 § 5.

Interchange of personnel between federal and state agencies: RCW 41.04.140 through 41.04.170.

Interfering with law enforcement officer: RCW 9A.76.020.

Intrusion into public office without authority: RCW 42.20.030.

Jury duty, exemption from: RCW 2.36.080.

Limitations of actions: Chapter 4.16 RCW.

Meetings, open to public: Chapter 42.30 RCW, RCW 42.32.030.

Mileage allowance: RCW 43.03.060.

Military leave of absence: RCW 38.40.060.

Misappropriation of funds or property: RCW 40.16.020, 42.20.070, 42.20.090.

Misconduct of public officers: Chapter 42.20 RCW.

Misfeasance in office: RCW 42.20.100.

Neglect of duty: RCW 42.20.100.

Passes, acceptance and use prohibited: State Constitution Art. 2 § 39, Art. 12 § 20.

Performing duties without authority: RCW 42.20.030.

Postage, periodicals, purchase by governmental agencies, payment: RCW 42.24.035.

Privileged communications: RCW 5.60.060.

Purchasing, acceptance of benefits or gifts by state officers prohibited: RCW 42.20.020, 43.19.1937.

Qualifications: State Constitution Art. 3 § 25; RCW 42.04.020.

Quo warranto proceedings: Chapter 7.56 RCW.

Recall of elective officers: State Constitution Art. 1 § 33.

Records and documents, destroying, falsifying, misappropriation: RCW 40.16.020, 42.20.040.

Records to be kept at seat of government: State Constitution Art. 3 § 24.

Refusing to pay over money received: RCW 42.20.070.

Residence requirement during term: State Constitution Art. 3 § 24.

Resignations, to whom made: RCW 42.12.020.

Retirement system, state employees: Chapter 41.40 RCW.

Salaries and expenses: Chapter 43.03 RCW.

Seal, refusing to surrender to successor: RCW 42.20.030.

Successor, refusing to surrender office to: RCW 42.20.030.

Supreme court jurisdiction as to state officers, writs: RCW 2.04.010.

Terms: State Constitution Art. 3 § 3.

Tort claims against state: Chapter 4.92 RCW.

Usurpation of office, quo warranto proceedings: Chapter 7.56 RCW.

Venue of actions against: RCW 4.12.020.

Wage deductions for charitable contributions: RCW $41.04.035,\,41.04.036.$

RCW 42.23.070 Prohibited acts.

- (1) No municipal officer may use his or her position to secure special privileges or exemptions for himself, herself, or others.
- (2) No municipal officer may, directly or indirectly, give or receive or agree to receive any compensation, gift, reward, or gratuity from a source except the employing municipality, for a matter connected with or related to the officer's services as such an officer unless otherwise provided for by law.
- (3) No municipal officer may accept employment or engage in business or professional activity that the officer might reasonably expect would require or induce him or her by reason of his or her official position to disclose confidential information acquired by reason of his or her official position.
- (4) No municipal officer may disclose confidential information gained by reason of the officer's position, nor may the officer otherwise use such information for his or her personal gain or benefit.

[1994 c 154 § 121.]

Notes:

Parts and captions not law -- Effective date -- Severability -- 1994 c 154: See RCW 42.52.902, 42.52.904, and 42.52.905.

RCW 9A.80.010 Official misconduct.

*** CHANGE IN 2011 *** (SEE 5045.SL) ***

- (1) A public servant is guilty of official misconduct if, with intent to obtain a benefit or to deprive another person of a lawful right or privilege:
 - (a) He intentionally commits an unauthorized act under color of law; or
 - (b) He intentionally refrains from performing a duty imposed upon him by law.
 - (2) Official misconduct is a gross misdemeanor.

[1975-'76 2nd ex.s. c 38 § 17; 1975 1st ex.s. c 260 § 9A.80.010.]

Notes

Effective date -- Severability -- 1975-'76 2nd ex.s. c 38: See notes following RCW 9A.08.020.

Failure of duty by public officers: RCW 42.20.100.

Chapter 42.23 RCW Code of ethics for municipal officers — contract interests

RCW Sections

42.23.010 Declaration of purpose.

42.23.020 Definitions.

42.23.030 Interest in contracts prohibited -- Exceptions.

42.23.040 Remote interests.

42.23.050 Prohibited contracts void -- Penalties for violation of chapter.

42.23.060 Local charter controls chapter.

42.23.070 Prohibited acts.

42.23.900 Construction - Chapter applicable to state registered domestic partnerships - 2009 c 521.

Notes:

Cities, free passes, services prohibited: RCW 35.17.150.

County officers, general provisions: Chapter 36.16 RCW.

Ethics in public service act: Chapter 42.52 RCW.

Public employment, civil service: Title 41 RCW.

State officers, general provisions: Chapter 43.01 RCW.

42,23,010

Declaration of purpose.

It is the purpose and intent of this chapter to revise and make uniform the laws of this state concerning the transaction of business by municipal officers, as defined in chapter 268, Laws of 1961, in conflict with the proper performance of their duties in the public interest; and to promote the efficiency of local government by prohibiting certain instances and areas of conflict while at the same time sanctioning, under sufficient controls, certain other instances and areas of conflict wherein the private interest of the municipal officer is deemed to be only remote, to the end that, without sacrificing necessary public responsibility and enforceability in areas of significant and clearly conflicting interests, the selection of municipal officers may be made from a wider group of responsible citizens of the communities which they are called upon to serve.

[1961 c 268 § 2.]

42.23.020 Definitions.

For the purpose of chapter 268, Laws of 1961:

- (1) "Municipality" shall include all counties, cities, towns, districts, and other municipal corporations and quasi municipal corporations organized under the laws of the state of Washington;
- (2) "Municipal officer" and "officer" shall each include all elected and appointed officers of a municipality, together with all deputies and assistants of such an officer, and all persons exercising or undertaking to exercise any of the powers or functions of a municipal officer;
 - (3) "Contract" shall include any contract, sale, lease or purchase;
- (4) "Contracting party" shall include any person, partnership, association, cooperative, corporation, or other business entity which is a party to a contract with a municipality.

[1961 c 268 § 3.]

42.23.030

Interest in contracts prohibited — Exceptions.

No municipal officer shall be beneficially interested, directly or indirectly, in any contract which may be made by, through or under the supervision of such officer, in whole or in part, or which may be made for the benefit of his or her office, or accept, directly or indirectly, any compensation, gratuity or reward in connection with such contract from any other person beneficially interested therein. This section shall not apply in the following cases:

- (1) The furnishing of electrical, water or other utility services by a municipality engaged in the business of furnishing such services, at the same rates and on the same terms as are available to the public generally;
 - (2) The designation of public depositaries for municipal funds;
- (3) The publication of legal notices required by law to be published by any municipality, upon competitive bidding or at rates not higher than prescribed by law for members of the general public;
 - (4) The designation of a school director as clerk or as both clerk and purchasing agent of a school district;
- (5) The employment of any person by a municipality for unskilled day labor at wages not exceeding two hundred dollars in any calendar month. The exception provided in this subsection does not apply to a county with a population of one hundred twenty-five thousand or more, a city with a population of more than one thousand five hundred, an irrigation district encompassing more than fifty thousand acres, or a first-class school district;
- (6)(a) The letting of any other contract in which the total amount received under the contract or contracts by the municipal officer or the municipal officer's business does not exceed one thousand five hundred dollars in any calendar month.
- (b) However, in the case of a particular officer of a second-class city or town, or a noncharter optional code city, or a member of any county fair board in a county which has not established a county purchasing department pursuant to RCW
- 36.32.240, the total amount of such contract or contracts authorized in this subsection (6) may exceed one thousand five hundred dollars in any calendar month but shall not exceed eighteen thousand dollars in any calendar year.
- (c)(i) In the case of a particular officer of a rural public hospital district, as defined in RCW 70.44.460, the total amount of such contract or contracts authorized in this subsection (6) may exceed one thousand five hundred dollars in any calendar month, but shall not exceed twenty-four thousand dollars in any calendar year.
- (ii) At the beginning of each calendar year, beginning with the 2006 calendar year, the legislative authority of the rural public hospital district shall increase the calendar year limitation described in this subsection (6)(c) by an amount equal to the dollar amount for the previous calendar year multiplied by the change in the consumer price index as of the close of the twelve -month period ending December 31st of that previous calendar year. If the new dollar amount established under this subsection is not a multiple of ten dollars, the increase shall be rounded to the next lowest multiple of ten dollars. As used in this subsection, "consumer price index" means the consumer price index compiled by the bureau of labor statistics, United States department of labor for the state of Washington. If the bureau of labor statistics develops more than one consumer price index for areas within the state, the index covering the greatest number of people, covering areas exclusively within the boundaries of the state, and including all items shall be used.
 - (d) The exceptions provided in this subsection (6) do not apply to:
 - (i) A sale or lease by the municipality as the seller or lessor;
- (ii) The letting of any contract by a county with a population of one hundred twenty-five thousand or more, a city with a population of ten thousand or more, or an irrigation district encompassing more than fifty thousand acres; or
 - (iii) Contracts for legal services, except for reimbursement of expenditures.
- (e) The municipality shall maintain a list of all contracts that are awarded under this subsection (6). The list must be made available for public inspection and copying;
- (7) The leasing by a port district as lessor of port district property to a municipal officer or to a contracting party in which a municipal officer may be beneficially interested, if in addition to all other legal requirements, a board of three disinterested appraisers and the superior court in the county where the property is situated finds that all terms and conditions of such lease are fair to the port district and are in the public interest. The appraisers must be appointed from members of the American Institute of Real Estate Appraisers by the presiding judge of the superior court;

- (8) The letting of any employment contract for the driving of a school bus in a second-class school district if the terms of such contract are commensurate with the pay plan or collective bargaining agreement operating in the district;
- (9) The letting of an employment contract as a substitute teacher or substitute educational aide to an officer of a secondclass school district that has two hundred or fewer full-time equivalent students, if the terms of the contract are commensurate with the pay plan or collective bargaining agreement operating in the district and the board of directors has found, consistent with the written policy under RCW 28A.330.240, that there is a shortage of substitute teachers in the school district;
- (10) The letting of any employment contract to the spouse of an officer of a school district, when such contract is solely for employment as a substitute teacher for the school district. This exception applies only if the terms of the contract are commensurate with the pay plan or collective bargaining agreement applicable to all district employees and the board of directors has found, consistent with the written policy under RCW 28A.330.240, that there is a shortage of substitute teachers in the school district;
- (11) The letting of any employment contract to the spouse of an officer of a school district if the spouse was under contract as a certificated or classified employee with the school district before the date in which the officer assumes office and the terms of the contract are commensurate with the pay plan or collective bargaining agreement operating in the district. However, in a second-class school district that has less than two hundred full-time equivalent students enrolled at the start of the school year as defined in *RCW 28A.150.040, the spouse is not required to be under contract as a certificated or classified employee before the date on which the officer assumes office;
- (12) The authorization, approval, or ratification of any employment contract with the spouse of a public hospital district commissioner if: (a) The spouse was employed by the public hospital district before the date the commissioner was initially elected; (b) the terms of the contract are commensurate with the pay plan or collective bargaining agreement operating in the district for similar employees; (c) the interest of the commissioner is disclosed to the board of commissioners and noted in the official minutes or similar records of the public hospital district prior to the letting or continuation of the contract; and (d) and the commissioner does not vote on the authorization, approval, or ratification of the contract or any conditions in the contract.

A municipal officer may not vote in the authorization, approval, or ratification of a contract in which he or she is beneficially interested even though one of the exemptions allowing the awarding of such a contract applies. The interest of the municipal officer must be disclosed to the governing body of the municipality and noted in the official minutes or similar records of the municipality before the formation of the contract.

[2007 c 298 § 1; 2006 c 121 § 1; 2005 c 114 § 1; 1999 c 261 § 2; 1997 c 98 § 1; 1996 c 246 § 1. Prior: 1994 c 81 § 77; 1994 c 20 § 1; 1993 c 308 § 1; 1991 c 363 § 120; 1990 c 33 § 573; 1989 c 263 § 1; 1983 1st ex.s. c 44 § 1; prior: 1980 c 39 § 1; 1979 ex.s. c 4 § 1; 1971 ex.s. c 242 § 1; 1961 c 268 § 4 1

Notes:

*Reviser's note: RCW 28A.150.040 was repealed by 2009 c 548 § 710, effective September 1, 2011.

Findings -- Intent -- 1999 c 261: "The legislature finds that:

- (1) The current statutes pertaining to municipal officers' beneficial interest in contracts are quite confusing and have resulted in some inadvertent violations of the law.
- (2) The dollar thresholds for many of the exemptions have not been changed in over thirty-five years, and the restrictions apply to the total amount of the contract instead of the portion of the contract that pertains to the business operated by the municipal officer.
- (3) The confusion existing over these current statutes discourages some municipalities from accessing some efficiencies available to them.

Therefore, it is the intent of the legislature to clarify the statutes pertaining to municipal officers and contracts and to enact reasonable protections against inappropriate conflicts of interest." [1999 c 261 § 1.]

Purpose -- Captions not law -- 1991 c 363: See notes following RCW 2.32.180.

Purpose -- Statutory references -- Severability -- 1990 c 33: See RCW 28A.900.100 through 28A.900.102.

Severability -- 1989 c 263: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1989 c 263 § 3.]

Severability — 1980 c 39: "If any provision of this amendatory act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1980 c 39 § 3.]

42.23.040

Remote interests.

A municipal officer is not interested in a contract, within the meaning of RCW

42.23.030, if the officer has only a remote interest in the contract and the extent of the interest is disclosed to the governing body of the municipality of which the officer is an officer and noted in the official minutes or similar records of the municipality prior to the formation of the contract, and thereafter the governing body authorizes, approves, or ratifies the contract in good faith by a vote of its membership sufficient for the purpose without counting the vote or votes of the officer having the remote interest. As used in this section "remote interest" means:

- (1) That of a nonsalaried officer of a nonprofit corporation;
- (2) That of an employee or agent of a contracting party where the compensation of such employee or agent consists entirely of fixed wages or salary;
 - (3) That of a landlord or tenant of a contracting party;
 - (4) That of a holder of less than one percent of the shares of a corporation or cooperative which is a contracting party.

None of the provisions of this section are applicable to any officer interested in a contract, even if the officer's interest is only remote, if the officer influences or attempts to influence any other officer of the municipality of which he or she is an officer to enter into the contract.

[1999 c 261 § 3; 1961 c 268 § 5.]

Notes:

Findings -- Intent -- 1999 c 261: See note following RCW 42.23.030.

42.23.050

Prohibited contracts void — Penalties for violation of chapter.

Any contract made in violation of the provisions of this chapter is void and the performance thereof, in full or in part, by a contracting party shall not be the basis of any claim against the municipality. Any officer violating the provisions of this chapter is liable to the municipality of which he or she is an officer for a penalty in the amount of five hundred dollars, in addition to such other civil or criminal liability or penalty as may otherwise be imposed upon the officer by law.

In addition to all other penalties, civil or criminal, the violation by any officer of the provisions of this chapter may be grounds for forfeiture of his or her office.

[1999 c 261 § 4; 1961 c 268 § 6.]

Notes:

Findings -- Intent -- 1999 c 261: See note following RCW 42.23.030.

42.23.060

Local charter controls chapter.

If any provision of this chapter conflicts with any provision of a city or county charter, or with any provision of a city-county charter, the charter shall control if it contains stricter requirements than this chapter. The provisions of this chapter shall be considered as minimum standards to be enforced by municipalities.

[1999 c 261 § 5; 1961 c 268 § 16.]

Notes:

Findings -- Intent -- 1999 c 261: See note following RCW 42.23.030.

42.23.070 Prohibited acts.

- (1) No municipal officer may use his or her position to secure special privileges or exemptions for himself, herself, or others.
- (2) No municipal officer may, directly or indirectly, give or receive or agree to receive any compensation, gift, reward, or gratuity from a source except the employing municipality, for a matter connected with or related to the officer's services as such an officer unless otherwise provided for by law.
- (3) No municipal officer may accept employment or engage in business or professional activity that the officer might reasonably expect would require or induce him or her by reason of his or her official position to disclose confidential information acquired by reason of his or her official position.
- (4) No municipal officer may disclose confidential information gained by reason of the officer's position, nor may the officer otherwise use such information for his or her personal gain or benefit.

[1994 c 154 § 121.]

Notes:

Parts and captions not law -- Effective date -- Severability -- 1994 c 154: See RCW 42.52.902, 42.52.904, and 42.52.905.

42.23.900

Construction — Chapter applicable to state registered domestic partnerships — 2009 c 521.

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement chapter 521, Laws of 2009, gender-specific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

[2009 c 521 § 104.]

Chapter 42.23 RCW Code of ethics for municipal officers — contract interests

RCW Sections

42.23.010 Declaration of purpose.

42.23.020 **Definitions**.

42.23.030 Interest in contracts prohibited - Exceptions.

42.23.040 Remote interests.

42.23.050 Prohibited contracts void -- Penalties for violation of chapter.

42.23.060 Local charter controls chapter.

42.23.070 Prohibited acts.

42.23.900 Construction -- Chapter applicable to state registered domestic partnerships -- 2009 c 521.

Notes:

Cities, free passes, services prohibited: RCW 35.17.150.

County officers, general provisions: Chapter 36.16 RCW.

Ethics in public service act: Chapter 42.52 RCW.

Public employment, civil service: Title 41 RCW.

State officers, general provisions: Chapter 43.01 RCW.

Chapter 42.23 RCW Code of ethics for municipal officers — contract interests

RCW Sections

42.23.010 Declaration of purpose.

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42.23.060 Local charter controls chapter.

42.23.070 Prohibited acts.

42.23.900 Construction -- Chapter applicable to state registered domestic partnerships -- 2009 c 521.

Notes:

Cities, free passes, services prohibited: RCW 35.17.150.

County officers, general provisions: Chapter 36.16 RCW.

Ethics in public service act: Chapter 42.52 RCW.

Public employment, civil service: Title 41 RCW.

State officers, general provisions: Chapter 43.01 RCW.

CITY OF STANWOOD

Regular Meeting of the City Council Monday, May 7, 2001 – 7:30 p.m. – City Hall

MINUTES

Call to Order and Pledge of Allegiance

Mayor Matthew J. McCune called the meeting to order at 7:30 p.m. and led the Pledge of Allegiance.

Roll Call

Clerk Treasurer Landy Manuel called the roll with the following Councilmembers present: Herb Kuhnly and Cheryl Baker. Councilmembers Thompson and Klasse were excused. There was no quorum.

Presentation

Mayor McCune presented former Councilmember Les Anderson with an award plaque, recognizing his years of service to the City of Stanwood. Mr. Anderson resigned his Council seat in April to accept the Public Works Supervisor position.

MM

Citizen Petitions, Comments and Communications (for non-agenda items)

There were no citizen petitions, comments or communications.

Committee Reports

Public Works / Community Development Committee

Community Development Director Stephanie Cleveland reported that the committee has not met since the last meeting. Ms. Cleveland requested a committee meeting to discuss the Pioneer Hills final plat prior to the next Council meeting.

Stanwood City Council 5.7.01 Regular Meeting Page 1 of 3

Finance / Personnel Committee

Councilmember Kuhnly reported that committee has not met since the last meeting.

HE

Public Safety Committee

Councilmember Anderson gave an Ambulance Board report.

1 4

Police Chief Dave Bales gave an update on the scheduling of the 800 MHz workshop.

Chief Bales also reminded Council of the Police Department's long-term planning meeting on Wednesday, March 21, 2001 from 10:00 a.m. to 2:00 p.m.

8. Miscellaneous Business

Councilmember Baker reported on the recent Library Board meeting.

9. Appropriations; Approve Payroll Checks and Vouchers

Motion by Councilmember Thompson, second by Councilmember Kuhnly, to approve voucher checks #2630 through #2713 in the amount of \$220,602.52 and payroll checks #6806 through #6828 in the amount of \$16,460.00. Motion unanimously carried.

HE

MI

10. Citizen Closing Comments

There were no citizen closing comments.

1. Adjourn

There being no further business before the Council, Mayor McCune declared the meeting adjourned at 8:49 p.m.

CITY OF STANWOOD

Matthew J. McCune, Mayor

Landy Manuel, Clerk Treasurer

Stanwood City Council
3.19.01 Regular Meeting
Page J of 3

D01633

Public Works / Community Development Committee

• 104th Drive Reconstruction Project

Public Works Director Bill Beckman introduced Joel Birchman, of Perteet Engineering, and presented Council with materials outlining proposed changes to the 104th Drive reconstruction project. Mr. Birchman answered technical questions from the Council.

Motion by Councilmember Kuhnly, second by Councilmember Thompson, to authorize the Mayor to sign a supplement contract for the 104th Drive reconstruction project, as submitted, in the amount of \$27,991.00. A discussion ensued regarding funding for the project. Clerk Treasurer Landy Manuel responded to Council's budget inquiries. Motion unanimously carried.

271st Street Project

Mr. Beckman explained that in order to move the 271st Street project forward it will be necessary to conduct an environmental assessment and budget for drainage and water main improvements. He also informed Council that the committee consensus was to proceed with the project rather than give up the \$250,000 grant. A discussion ensued regarding the possibility of doing one biological assessment for the entire area, as opposed to one for each project.

Motion by Councilmember Kuhnly, second by Councilmember Klasse to authorize going to bid for consultant services for the 271st Street construction HUD project. Motion unanimously carried.

Councilmember Kuhnly reported that the committee met on April 5, 2001 to discuss the 104th Drive, Triangle Road, and 271st Street projects, as well as to consider a request for a sewer connection at the Hamilton site.

Mr. Beckman announced that the <u>Public Works Supervisor position has been</u> filled. Mayor McCune congratulated Councilmember Anderson on being chosen to fill the position and thanked him for his eight years of service on the City Council.

Community Development Director Stephanie Cleveland reminded Council of the upcoming workshop on Tuesday, April 24, 2001 on the Essential Public Facilities interlocal and Infill Development, and updated Council on the Cedarhome annexation petition, stating that the applicants have obtained all but 5% of the required signatures.

Stanwood City Council
4.16.01 Regular Meeting
Page 2 of 4



RCW 42.23.030

Interest in contracts prohibited — Exceptions.

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- (1) The furnishing of electrical, water or other utility services by a municipality engaged in the business of furnishing such services, at the same rates and on the same terms as are available to the public generally;
 - (2) The designation of public depositaries for municipal funds;
- (3) The publication of legal notices required by law to be published by any municipality, upon competitive bidding or at rates not higher than prescribed by law for members of the general public;
 - (4) The designation of a school director as clerk or as both clerk and purchasing agent of a school district;
- (\$) The employment of any person by a municipality for unskilled day labor at wages not exceeding two hundred dollars in any calendar month. The exception provided in this subsection does not apply to a county with a population of one hundred twenty-five thousand or more, a city with a population of more than one thousand five hundred, an irrigation district encompassing more than fifty thousand acres, or a first-class school district;
- (\$)(a) The letting of any other contract in which the total amount received under the contract or contracts by the municipal officer or the municipal officer's business does not exceed one thousand five hundred dollars in any calendar month.
- (b) However, in the case of a particular officer of a second-class city or town, or a noncharter optional code city, or a member of any county fair board in a county which has not established a county purchasing department pursuant to RCW 36.32.240, the total amount of such contract or contracts authorized in this subsection (6) may exceed one thousand five hundred dollars in any calendar month but shall not exceed eighteen thousand dollars in any calendar year.
- (¢)(i) In the case of a particular officer of a rural public hospital district, as defined in RCW 70.44.460, the total amount of such contract or contracts authorized in this subsection (6) may exceed one thousand five hundred dollars in any calendar month, but shall not exceed twenty-four thousand dollars in any calendar year.
- (ii) At the beginning of each calendar year, beginning with the 2006 calendar year, the legislative authority of the rural public hospital district shall increase the calendar year limitation described in this subsection (6)(c) by an amount equal to the dollar amount for the previous calendar year multiplied by the change in the consumer price index as of the close of the twelve-month period ending December 31st of that previous calendar year. If the new dollar amount established under this subsection is not a multiple of ten dollars, the increase shall be rounded to the next lowest multiple of ten dollars. As used in this subsection, "consumer price index" means the consumer price index compiled by the bureau of labor statistics, United States department of labor for the state of Washington. If the bureau of labor statistics develops more than one consumer price index for areas within the state, the index covering the greatest number of people, covering areas exclusively within the bourdaries of the state, and including all items shall be used.
 - (d) The exceptions provided in this subsection (6) do not apply to:
 - (i) A sale or lease by the municipality as the seller or lessor;
- (ii) The letting of any contract by a county with a population of one hundred twenty-five thousand or more, a city with a population of ten thousand or more, or an irrigation district encompassing more than fifty thousand acres; or
 - (iii) Contracts for legal services, except for reimbursement of expenditures.
- (e) The municipality shall maintain a list of all contracts that are awarded under this subsection (6). The list must be made available for public inspection and copying;
- (7) The leasing by a port district as lessor of port district property to a municipal officer or to a contracting party in which a municipal officer may be beneficially interested, if in addition to all other legal requirements, a board of three disinterested appraisers and the superior court in the county where the property is situated finds that all terms and conditions of such lease are fair to the port district and are in the public interest. The appraisers must be appointed from members of the American Institute of Real Estate Appraisers by the presiding judge of the superior court;
- (8) The letting of any employment contract for the driving of a school bus in a second-class school district if the terms of such contract are commensurate with the pay plan or collective bargaining agreement operating in the district;
 - (9) The letting of an employment contract as a substitute teacher or substitute educational aide to an officer of a second-

RCW 42.23.030

Interest in contracts prohibited — Exceptions.

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- (1) The furnishing of electrical, water or other utility services by a municipality engaged in the business of furnishing such services, at the same rates and on the same terms as are available to the public generally;
 - (2) The designation of public depositaries for municipal funds;
- (3) The publication of legal notices required by law to be published by any municipality, upon competitive bidding or at rates not higher than prescribed by law for members of the general public;
 - (4) The designation of a school director as clerk or as both clerk and purchasing agent of a school district;
- (\$) The employment of any person by a municipality for unskilled day labor at wages not exceeding two hundred dollars in any calendar month. The exception provided in this subsection does not apply to a county with a population of one hundred twenty-five thousand or more, a city with a population of more than one thousand five hundred, an irrigation district encompassing more than fifty thousand acres, or a first-class school district;
- (\$)(a) The letting of any other contract in which the total amount received under the contract or contracts by the municipal officer or the municipal officer's business does not exceed one thousand five hundred dollars in any calendar month.
- (b) However, in the case of a particular officer of a second-class city or town, or a noncharter optional code city, or a member of any county fair board in a county which has not established a county purchasing department pursuant to RCW 36.32.240, the total amount of such contract or contracts authorized in this subsection (6) may exceed one thousand five hundred dollars in any calendar month but shall not exceed eighteen thousand dollars in any calendar year.
- (¢)(i) In the case of a particular officer of a rural public hospital district, as defined in RCW 70.44.460, the total amount of such contract or contracts authorized in this subsection (6) may exceed one thousand five hundred dollars in any calendar month, but shall not exceed twenty-four thousand dollars in any calendar year.
- (ii) At the beginning of each calendar year, beginning with the 2006 calendar year, the legislative authority of the rural public hospital district shall increase the calendar year limitation described in this subsection (6)(c) by an amount equal to the dollar amount for the previous calendar year multiplied by the change in the consumer price index as of the close of the twelve -month period ending December 31st of that previous calendar year. If the new dollar amount established under this subsection is not a multiple of ten dollars, the increase shall be rounded to the next lowest multiple of ten dollars. As used in this subsection, "consumer price index" means the consumer price index compiled by the bureau of labor statistics, United States department of labor for the state of Washington. If the bureau of labor statistics develops more than one consumer price index for areas within the state, the index covering the greatest number of people, covering areas exclusively within the boundaries of the state, and including all items shall be used.
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- (ii) The letting of any contract by a county with a population of one hundred twenty-five thousand or more, a city with a population of ten thousand or more, or an irrigation district encompassing more than fifty thousand acres; or
 - (iii) Contracts for legal services, except for reimbursement of expenditures.
- (e) The municipality shall maintain a list of all contracts that are awarded under this subsection (6). The list must be made available for public inspection and copying;
- (7) The leasing by a port district as lessor of port district property to a municipal officer or to a contracting party in which a municipal officer may be beneficially interested, if in addition to all other legal requirements, a board of three disinterested appraisers and the superior court in the county where the property is situated finds that all terms and conditions of such lease are fair to the port district and are in the public interest. The appraisers must be appointed from members of the American Institute of Real Estate Appraisers by the presiding judge of the superior court;
- (8) The letting of any employment contract for the driving of a school bus in a second-class school district if the terms of such contract are commensurate with the pay plan or collective bargaining agreement operating in the district;
 - (9) The letting of an employment contract as a substitute teacher or substitute educational aide to an officer of a second-



STANWOOD POLICE DEPARTMENT

DAVID S. BALES Chief of Police

8727 - 271st Street NW. Stanwood, Washington 98292-0127 Mail: Post Office Box 127

Police: 360-629-4555

360-435-7733

Fax: 360-629-2886

EMERGENCY: 911

June 12, 2000

Mr. Clint Kallock PO Box 606 Stanwood, WA 98292

RE: Unlawful Drug Activity at 26925-103rd Drive NW Stanwood

Case # 00-594

This is to notify you that the property at 26925 103rd Dr NW, Stanwood Washington, occupied by Jimmy Pierce, Heather Slater, Aubrey Laws, and other unidentified persons has been involved in illegal drug activity. Public Records indicate that you hold an ownership interest in, or have management responsibility for this property. The Stanwood Police Department has information which shows that illegal drugs have been sold, used, possessed, or manufactured at this location.

On March 9, 1988, the Washington State Legislature passed a law, RCW 7.43.010, which provides the properties involved in illegal drug activity may be ABATED as a nuisance. By this letter you are hereby formally placed on notice that the above referenced property is a location at which illegal drugs have been used, sold, possessed or manufactured. Property used for such a purpose is, by law, a muisance. If you fail to respond to this information regarding drug activity on the above referenced property, or if illegal drugs are again sold, used, possessed or manufactured on your property, legal proceedings may be initiated to ABATE this muisance (RCW 7.43.090). If an ABATEMENT ORDER is entered, the property can be closed for up to one year, and will be subject to a lien for the costs of the ABATEMENT.

In addition, any person who manages or controls any building, and who knowingly rents, leases or makes such building available for the manufacture, delivery, sale, storage, or possession of illegal drugs, may be committing a Class "C" Felony unless such person notifies a law enforcement agency of the drug activity, or processes an Unlawful Detainer Action against the tenant or occupant.

It is your responsibility to manage the use of your property. In 1988 the Washington Legislature passed HB1445. This measure allows landlords to quickly evict tenants known to be involved in drug related activities. You may avoid the above exposures by working cooperatively with the Stanwood Police Department to halt or prevent the reoccurrence of drug activity at your property. Please Call Chief David Bales at (360) 629-4555 within the next ten (10) days to discuss the criminal activity occurring on your property.

Sincerely,

David S. Bales

& Sales

Chief

the duties of his office. (Ord. 1017, 1997; Ord. 814 § 6, 1991; Ord. 729 § 1, 1987; Ord. 681 § 6, 1986; Ord. 647 § 6, 1984; Ord. 626 § 6, 1984; Ord. 614 § 6, 1983; Ord. 515 § 7, 1978; Ord. 388 § 2, 1973).

2.08.260 Council member - Compensation - Reimbursement.

- (1) Regular Meetings. The compensation of each council member shall be \$75.00 for each regular meeting of the council, not to exceed two meetings in any one month.
- (2) Other Meetings. For attending any special meeting; a regularly called committee meeting; and for attendance at any Association of Washington Cities, Puget Sound Governmental Conference, or other official meetings authorized by the mayor or a majority of the council, they shall receive the sum of \$30.00, except when the meeting is consecutive with a meeting for which other payment is authorized.
 - (3) Payroll Procedure.
- (a) The city clerk-treasurer shall include payment on the next payroll for attendance at regular and special meetings of the council where roll is taken and minutes are recorded.
- (b) A council member may submit a payroll voucher, listing the date, place and purpose of other meetings. The voucher is subject to the audit and approval of the city council before payment may be made.
- (4) Expenses. Each member of the city council shall be reimbursed for actual expenses incurred in the discharge of his official duties upon presentation of a claim therefor, after allowance and approval by motion of the city council.
- (5) The effective date of the ordinance codified in this section shall be January 1, 2000. (Ord. 1079, 1999; Ord. 945 § 1, 1995; Ord. 815 § 1, 1991; Ord. 729 § 2, 1987; Ord. 650 § 1, 1985; Ord. 403 § 1, 1973; Ord. 388 § 3, 1973).

2.08.350 Reimbursement of expenses.

(1) Reimbursements Allowed. Meals occurring when the officer, agent or employee is on city business, or while in his official capacity as officer, agent, or employee attending a meeting of an organization or group of which the city is a member, or the officer,

- agent, or employee is a member; lodging while on city business, away from the city overnight; automobile mileage at 90 percent of the standard mileage rate as set forth in the most current issue of IRS Publication 17, while on city business; parking tolls, public transportation, and registration/material fees. Agents may include persons requested by the city to act on the city's behalf or perform a service for the city.
- (2) Reimbursement Not Allowed. Alcoholic beverages, traffic and parking tickets, and expenses for persons not officers, employees, or agents of the city shall not be reimbursed. Reimbursement for expenses shall not be allowed except as provided in subsection (1) of this section.
- (3) City Credit Cards. City credit cards may in no case be used to provide gas, supplies or other expenses of personal vehicles in lieu of the automobile mileage rate.
- (4) Reimbursement Procedure. All claims for expenses by the mayor, council members, or officers, agents, or employees of the city shall be submitted and approved for payment by the city council, as follows:
- (a) Vouchers General. All claims for reimbursement shall be submitted on a voucher provided by the city and shall be subject to audit and approval by the appropriate department head and council.
- (b) The voucher must state the date the expense was incurred, the purpose of the expense, the destination, the mileage for travel mileage claimed, the name of the business, organization, office visited or meeting attended.
- (5) Expenses Charged to City. The following expenses may be charged directly to the city or prepaid when authorized.
- (a) Hotel, motel room charges, not to include parking, valet services, meals or other charges.
- (b) Registration and other fees for meetings, conferences, conventions, etc. which may include meals, materials or other charges.
- (6) Receipts Required. Receipts are required for all reimbursement claims except for the following:
- (a) Tolls, parking, and other charges where receipts are not normally available.

or third degree, or custodial assault, he or she assaults another.

(2) Assault in the fourth degree is a gross misdemeanor. [1987 c 188 § 2; 1986 c 257 § 7.]

Effective date——1986 c 257 §§ 3-10: See note following RCW 9A.04.110.

Effective date——1987 c 188: See note following RCW 9A.36.100. Severability——1986 c 257: See note following RCW 9A.56.010.

- 9A.36.045 Reckless endangerment in the first degree. (1) A person is guilty of reckless endangerment in the first degree when he or she recklessly discharges a firearm in a manner which creates a substantial risk of death or serious physical injury to another person and the discharge is either from a motor vehicle or from the immediate area of a motor vehicle that was used to transport the shooter or the firearm to the scene of the discharge.
- (2) A person who unlawfully discharges a firearm from a moving motor vehicle may be inferred to have engaged in reckless conduct, unless the discharge is shown by evidence satisfactory to the trier of fact to have been made without such recklessness.
- (3) Reckless endangerment in the first degree is a class C felony. [1989 c 271 § 109.]

Finding ——Intent——1989 c 271 §§ 102, 109, and 110: See note following RCW 9A.36.050.

Application——1989 c 271 §§ 101 through 111: See note following RCW 9.94A.310.

Severability-1989 c 271: See note following RCW 9.94A.310.

9A.36.050 Reckless endangerment in the second degree. (1) A person is guilty of reckless endangerment in the second degree when he recklessly engages in conduct not amounting to reckless endangerment in the first degree but which creates a substantial risk of death or serious physical injury to another person.

(2) Reckless endangerment in the second degree is a gross misdemeanor. [1989 c 271 § 110; 1975 1st ex.s. c 260 § 9A.36.050.]

Finding—Intent—1989 c 271 §§ 102, 109, and 110: "The legislature finds that increased trafficking in illegal drugs has increased the likelihood of "drive-by shootings." It is the intent of the legislature in sections 102, 109, and 110 of this act to categorize such reckless and criminal activity into a separate crime and to provide for an appropriate punishment." [1989 c 271 § 108.] "Sections 102, 109, and 110 of this act" consist of the enactment of RCW 9A.36.045 and the 1989 c 271 amendments to RCW 9.94A.320 and 9A.36.050.

Application——1989 c 271 §§ 101 through 111: See note following RCW 9.94A.310.

Severability-1989 c 271: See note following RCW 9.94A.310.

9A.36.060 Promoting a suicide attempt. (1) A person is guilty of promoting a suicide attempt when he knowingly causes or aids another person to attempt suicide.

(2) Promoting a suicide attempt is a class C felony. [1975 1st ex.s. c 260 § 9A.36.060.]

9A.36.070 Coercion. (1) A person is guilty of coercion if by use of a threat he compels or induces a person to engage in conduct which the latter has a legal right to abstain from, or to abstain from conduct which he has a legal right to engage in.

(2) "Threat" as used in this section means:

- (a) To communicate, directly or indirectly, the intent immediately to use force against any person who is present at the time; or
- (b) Threats as defined in RCW 9A.04.110(25)(a), (b), or (c).
- (3) Coercion is a gross misdemeanor. [1975 1st ex.s. c 260 § 9A.36.070.]
- 9A.36.080 Malicious harassment. (1) A person is guilty of malicious harassment if he maliciously and with the intent to intimidate or harass another person because of, or in a way that is reasonably related to, associated with, or directed toward, that person's race, color, religion, ancestry, national origin, or mental, physical, or sensory handicap:

(a) Causes physical injury to another person; or

(b) By words or conduct places another person in reasonable fear of harm to his person or property or harm to the person or property of a third person. Such words or conduct include, but are not limited to, (i) cross burning, (ii) painting, drawing, or depicting symbols or words on the property of the victim when the symbols or words historically or traditionally connote hatred or threats toward the victim, or (iii) written or oral communication designed to intimidate or harass because of, or in a way that is reasonably related to, associated with, or directed toward, that person's race, color, religion, ancestry, national origin, or mental, physical, or sensory handicap. However, it does not constitute malicious harassment for a person to speak or act in a critical, insulting, or deprecatory way unless the context or circumstances surrounding the words or conduct places another person in reasonable fear of harm to his or her person or property or harm to the person or property of a third person; or

(c) Causes physical damage to or destruction of the property of another person.

- (2) The following constitute per se violations of this section:
 - (a) Cross burning; or
- (b) Defacement of the property of the victim or a third person with symbols or words when the symbols or words historically or traditionally connote hatred or threats toward the victim.
 - (3) Malicious harassment is a class C felony.
- (4) In addition to the criminal penalty provided in subsection (3) of this section, there is hereby created a civil cause of action for malicious harassment. A person may be liable to the victim of malicious harassment for actual damages and punitive damages of up to ten thousand dollars.
- (5) The penalties provided in this section for malicious harassment do not preclude the victims from seeking any other remedies otherwise available under law. [1989 c 95 § 1; 1984 c 268 § 1; 1981 c 267 § 1.]

Construction——1989 c 95: "The provisions of this act shall be liberally construed in order to effectuate its purpose." [1989 c 95 § 3.]

Severability—1989 c 95: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1989 c 95 § 4.]





Bohon v. Stanwood, Cause No. 73195-5-I

Brief of Appellant

Appendix A

	Warren Presermination Haring 1.9.00
	Fresent. Warren Bohon, Randy Richard, Erik Abrahamson
•	atil: mayor Dianne White, Grant Wood, Lynda Jeffines
	Warren tape recording melz - Claimed protection under whichledown - Grant
	Boid no, and explored purpose of Loudernill moeting
	Worren-Conflict of interest of Grant being here: Gw said no-he rep City not its enplayers
A COUNTY OF THE PERSON AND ADDRESS OF THE PERSON AND THE PERSON AN	B. Clubas been wing an thes for 8 months of spend thousands" on Wing two others the he hasn-t had but 10 days - not enoughtime to present it all
	Grant-hottme limit & today. WB feels he hasn't been given sufficient time to prepare
1	Says his notice wasn't sent by mail yeth to the light in his yard yels this is negligance" EXHIBIT
U	gels thes is pagagence. EXHIBIT D00658

Warren pre-termination hearing GW Confirm that he did recoive, + resturcted Influe are here DB-for Byrs Oty abused his employment resuled sc. scunty Statement - he Does hired by Ri) directions city "hid"info that there was a union ; feels he should have been oven step increases GNOSS MISCONDUCT abused public \$ Potricia - Rod Sundberg - Franthas boke Camels back Sty Bany argusting told hem he was the gnal word Steph termiosta istraud - BB has lied" + should be terminated WB Essues up Les anderson + haw he shouldn't committee - he feels they have authority to enforce personnel policies BB Called into ul marjor, emplayees + that was unfan feels others have violated policies and been reprimande

the termination Having rsuce of less hiring + les bung on authority over sever dept Requests publicheanns - Gw where do you find that (WB"I don't know I'V find th Believes CC members are too" Scared" to come ful WB believes cibie is getting rid of him Decuz he knows too much leason his office OFD to much batter than being at city Hall - "between too women" when he is muddy etc Soverson who put him over there is dead 10W & can't lety - parking maps Dattery Charge eels this is etalias BB told empd. he worldn't him L.A. 4 got kevin to WD his app. 4 promised es wald never be over sever dept. Feels that as a council mentin, Cannot participate in contracts that will benefit you finencially

Conspirace between matt maline, Los Anderson, + Bill Beakman "Violages" perspolicy which "promiss" disparaging remarks against JE Threatened of sing he will so for damages, back pay, these GW: O Clanging - happened 14 yrs WB expl. of Soc. Sec. Statement han grences BW: what is Connection between 13 yrs ago + reasons for terminating · WB: abuse of authority" happening for years - Le 15 exposing" Stirs saying his complaints are Souls Landy Manuel Seid to forgo · It & fust "more on emplagee + was up until Steph was nined + his more qualified to be a dept. head than Jophanie feels he was not promoted because of what he knows about BIM Bookman ald code souping his position reports legrested "Subpoena"
his personnel fila
Steph's personnel fila appoinad records, we are here... Shared GW BC. Sec. pt - GW is that S'thing you would us to Consider? We will make a copy WB-yes I do - this is proof. RR-In gingto have to head ont

WB fre-knnthanns Danes & RR to Stay while he reads of thing to the goup PP ferspolicy - back to 194 ysc+ Terminations Quoted Section said this relates to les' GW reminder-we're not have to discuss "Getting into equitable treatment" (apol for getting upsel). Stoph Donnerds malicians & Rollse rep. LOS VIDATED HILLS SOCIETA 9) + beleves Dobteels he is being made a dape Dod" and will to this to US sufreme Court WB to DD talsehoods were tild toher 3' (duce in hiring las been udarko" snc, ecw,

ern Hearing pors plucy, OBA's, otc Says there's planty of proof + can t gt Kis proof is KWC + E 4 Souls there is a "cover up" soing or Did- We wouldn't be here of you mare your oc WB- reasons hes offic where it 15 - more about les "Jerting him around" when aikaka that mayor cannot keep course wordens from today to counci aw- 15 th your postran that you have ind deces in where your office 125 16- She probably does (pointing to Dw) Danted her to hear everything by became argunor tatup + lased his ow Spiretaleat Reference Janice Corban Hairing - Said She intimidated employees

GW- what else would you like to provide prosented \$103 obunigan lolder code Dents us to have a copy ub-personnel policip-what are sections Hat were referenced in latter? Growt Nead Section 5 #5 WB- Witenma- Saysthis istandaland Claiming rolls under freedom of info act , freedow of speak he has a right to talk to Patricia) to increstigate if she has been abused" ho specific time was quen" GO-what do you want to provide us? 13 - dishanosty-part of reas, we're have is handling of other empl. dishanosty fod Sunday of Ha Way BB+LAhandled Studion B 1992 BB was a mor + had & people king for him John Case & Rood Sund. John lose read meters

Gw How does the relate? about amounte, Engelling to it RS comes along · Patrica late Ginato get riadiengs, · Rod says ho'll handle his own readen 14 (ie. Pm raised issue uf mont + 80th Chostiged and RS got a part an back" Son of Les asking for pay checks a "Scaring" Hatricia, "harrassed hou" that's his inature" and "all I did was dan the whistle" "We'll so to the supreme court of Chuted Fates if we have to GW- what other lufe wald you like to provide us \$ with ab-2.44.270-hetherks this is from RCW-"Cite council mentors had the authority to enforce rules "-CBA, pers. Policy. deb- worst-thing was beckman Stilling in 180m not goodfaite bargains For bother qualified than BB"

D00666

PIC LOB fre-term hearing that doesn't relate to this Stude EA-Quarren-had merce & Las corp Epent training you? Ever had bad revised? farfel lite give being terminated for some reason that is untrue? UB. 10KS of & in training; \$ olevans good revous, everything The Said is ice-I saids am not being in Bubordinate EA-you are arguing that you are a victim of other people's dishonestip? WB-48-Ow-onyother info ford leke to Pare? es yes EA-D'on loss hiring - 2 altempts get LA appointed GiQ-this is warren's opportunity Go up) anothing more? what we want to loar is your response to the 12/20 menos

SB tre-term hearing PIL LOB: the loiking save is not true, I was fact tridient WB: this says I dedut know what I wastalking about - made false statements, + that's while they wond it out of mild me Wb: they wanted to "But me up" 155hod a gog order SB: Derect result of what I said at the Janico Orbin moetring WB: how come Thank an scengdang record and now I'm sitting in front of you ub: I told les never to truthis again with me cre: moving of . WB: I cando abatter post & current wh cold kow on eyes sistens flubic hearing or netting must be Conducted" - "In astingtor a P.H."} WB- Cancomoula hand book - I blew whistle bour Ords were not being followed

P.33 CC Handbook - Mayor nog. by father to make appointments . Courice + Staff Communication S place by council. WB ning JC abuse of authority + waste of tax payer \$. DBapy to us of file Inco: Sec 9 "disc - term 2) Ch. 5 Ry Eval Train Rec -P.1 Ch. 1'General" Sec 1.1 -2 pages 4) 2.9.4 - 2.10" reclassification F) 13 Equal Emp Opp 1.4 secual Harasment camp bidding requirence MRSC "Knading the Ferritan WB optuped as an Das noming off loss in packet + threatened to loave meeting Decided to go thre was

what he is giving us to see to threat chel

DB: In 72 yrs old 80 you have to understand to one loc'is soing to hire me and I want the randoded hore" End: have you given ux what you'd lake ch to Constan B: Ibelieve Charl (yhon re-brunted pages) WB: Ch 5 Parperal GW: we can read what clave gueries, so of anchore info about whetenpl. 8/6 terminated we'll take it Into Consideration WB Quoted "Knasing the territary" MRSC p. 33 Hen e. - oxec sessions wis "Or has been closed of from relevent Info in regards to my termination" (after GW repeated what we held to Enaw 000 GW: Has do unthenk that statute was udated CPMA ub: than I want to war the exact dates 08 OHERINS 3 pieces & corresponderice_ ubi I would to see the corresp.

WB Pre-term Leaning GW: read what the 3 letters are You rec'd allef these and you're welcomes to respon WB: I wont specifics if you want specifics (sotup to come GW: +MISIS your opp. to resp. to colyi BOC SULL I have not made folse Statements or Derrogotany remarks everything Iresaid Thave poor as not here. what are the spacefics - I haven theen gueneral the to gue all answers Trender been accessed of the things in the letter P.A. Smene midd hove whiter letter or Steplance's signature B-Un haven towen me en up time EA- w/ exception of moving ofc, havent weard fanu other I can sue voie more mos is you of we me

B- Pre-tern Hearing wB - Her does what he slo be a PD Tw-tell us what that now to do w/. WB For B yrs I have tried togethings Corrockel BW- is the doc you haved me sithing you Dorld like us to considur? WB-UPS you can make a copy abuse of auth a grassidaste of the more remains about Tyle George, (andy manuel, Gan amstring offered to take LWOP to howe time to prepare argument. BW: Yaive done a good job of eggl. yr Concers, uncess there's 5'thing DB: mains of is intentional inflection of enotional stress + intentional interprence is emplayee contrace aw consultake into consumble you have said, we trust early ove us a copy of tape , decision will be made - In will be notified when a decish has been made, this Weekarrest

WB Pretermination blaring plls

WB - Mayor Should Inquire about my

Character uf "most moral person

in aty" (ledit Gatruno)

The been an ideal employees

pls don't judge me about this

situation—

Kevin one of most best employees

LOK.

R: Empls feel it is retalation against Warren for talking during Janice laran training

EDUCATION AND EXPERINCE

Background Info. Given at Stanwood Employment Interviews. By Public Works Supervisor, ROBERT DONOHOE, ET. AL.

Education

High School Graduation Ballard Seattle

Engineering Prep, Classes

AA Degree Business

Shoreline CC

AA Degree Real Estate

Everett CC

University of Washington

Pre Engineering & Air Force Reserve Officer Training

(Drop out after One Quarter Due to Ski Accident.)

<u>United States Marine Corp 1953 – 1957</u>

Non – Commissioned Officer- Squad Leader

Armored Amphibious Tractor- Tank Commander

Combat Infantry- Fire- Team- Leader

Atomic Biological Chemical Warfare School

United State Marine Corp Rifle Team, S.W Regional's

Tracked Vehicle Maintenance, Squad Leader School.

1957 Inactive USMC Reserve

1961 Honorable Discharge with Korean Campaign Ribbon

USMC Correspondence School- Supervisor / Management

Work Experience

Summers between High School

Carpenter Helper – Fentron Industries

Machine Operator - N. W. Bolt -and - Nut

Baker Assistant – Frank Bakery

Private Industry Employment

3 years Floor Supervisor Ballard Hardware Store

6 years Assistant Manager – Waterfront Truck Service

11 years Marketing Representative ARCO Oil.Corp

9 years ARCO Oil Corp – Distribution

Washington State Real Estate – License

Manager Residential 4 Plex

Board of Directors of Investors – 80 units Complex

Owner 3 Single Family Rental Houses

5 years Research and Development Director – Dicomp Enterprises

Commercial real Estate – Location Feasibility Researcher & Development

JOB REQUIRED NUMBER OF Certificates of Completion

NUMBER OF Certificates of Completion

1 Bindshing Codex I Fall 94

2 II Winter 95

3 "III Spring 95 Fall 94 Everett Comm Cell. Winter 95 Spring 95 Spring 95 Sept 95 BB SIGNED AS SUPRV. 4 OSHA HAZ COMMUN STS AUG 95 NAME BROOK (5) 94 UNIF FIRE CODE SEMINAR COS PUB WES. DEPT. 6 INTRODUCTION TO SOILS FEB 21 '96 1CB0 FEB 23 96 1CBO 7 DESIGN PLAN REVIEW "EXITING" FEB 27-28 96 COUNCIL ON EDUC. M 8 PERSONNEL LAW UPDATE Nov '96 IFC1 9 OVERVIEW OF UNIF FIRE CODE MAR 18'97 WA ST DOT 10 CONST SITE EROSION AND SEDIMENT CONTROL 11 1997 EARTHQUAKE REGS OVERVIEW AND PERSPECTIVE I FEB 2,2000 1CBD FEB 3, 2000 1CBO 12 FIRE & LIFE SAFETY ISSUES OF INSP. FEB 4, 2000 /CBO 13 SPECIAL TOPICS OF INSPECTION CODE ENFADED SE. 14 COMMUNICATION STRATEGIES FOR PUBLIC OFFICIALS JAN 22 2001 MAY 23 1995 AMER RED CRO 15 STANDARD FIRST AID

16 ADULT CPR

16 × 10 = 160 mo

MAY 23 1995

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City of Stanwood – Copy of My Personnel File

Collective Bargaining Contract

Personnel Manuals

13 Certificates of Achievements

Education and Experience Resume

Personnel Evaluations

Pay Raises Approved

Job Description

COS- False Documents Submitted for record in Public Office

COS- Budgets Documents

Kevin Hushagen File

Randy Richards File

EEOC File

Deposition File

2029 Pages COS Discovery Provided Documents

6 Years College

4 Years Military Service – USMC NCO

(ROTC) - Air Force Reserve Officer training @ U of Washington

Washington State Real Estate License



INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS

INTERNATIONAL FIRE CODE INSTITUTE

INVOICE

5360 WORKMAN MILL ROAD • WHITTIER, CALIFORNIA 90601-2298 (310) 699-0541 FED ID# 95-2005137

CA 10/14/96 97114957 1

Mr Warren Bohon Code Enforcement Officer City of Stanwood 10220 270th St NW Stanwood, WA 98292



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	l UBC Fir Registrati Vent Tick					\$125.00 \$0.00
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125.00	0.00	0.00	0.00	125.00	0.00	\$125.00

ALL RETURNS SUBJECT TO A 20% RESTOCKING FEE
NO RETURNS OR REFUNDS AFTER 6 MONTHS
NO REFUNDS ISSUED ON OVERPAYMENTS UNDER \$5.00
RETURNED CHECKS SUBJECT TO A \$25.00 SERVICE CHARGE
ALL CREDITS MUST BE USED WITHIN 12 MONTHS

PLEASE MAKE CHECK PAYABLE TO: ICBO

CUSTOMER COI



INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS

INTERNATIONAL FIRE CODE INSTITUTE

INVOIGE

5360 WORKMAN MILL ROAD • WHITTIER, CALIFORNIA 90601-2298 (310) 699-0541 FED ID# 95-2005137

CA 10/14/96, 97114957 1

Mr Warren Bohon Code Enforcement Officer City of Stanwood 10220 270th St NW Stanwood, WA 98292



1028623-8 ITEM NO:		llerton. DESCRIPTIO	N	QTY. SHIF		ECEIPT
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125.00	0.00	0.00	0.00	125.00	0.00	AMOUNT DUE \$125.00

ALL RETURNS SUBJECT TO A 20% RESTOCKING FEE
NO RETURNS OR REFUNDS AFTER 6 MONTHS
NO REFUNDS ISSUED ON OVERPAYMENTS UNDER \$5.00
RETURNED CHECKS SUBJECT TO A \$25.00 SERVICE CHARGE
ALL CREDITS MUST BE USED WITHIN 12 MONTHS

PLEASE MAKE CHECK PAYABLE TO: ICBO

CUSTOMER COI

Warren Bohon Personnel File

List of Contents

onnel File

Its It is my opinion that
would warmen any promoter and for pay mine

97 and of 100

- Fax cover sheet 2/13/06
- Cobra Notice to Administrator
- Sprint/Nextel Notice
- Letter dated 1/13/06
- Memo dated 12/19/05 from Stephanie Hansen
- Memo dated 12/7/05 from Mayor Herb Kuhnley
- Voided check #1758
- Performance Appraisal 1/26/05
- Payroll status change 1/1/05
- DRS Annual Retirement Statement 2003
- Payroll status change 1/1/04
 - Performance Appraisal 2/28/02
 - Memo from Joyce George dated 9/8/03 re: August 2003 payment
 - Performance Appraisal 3/20/03
 - DRS Annual Retirement Statement 2002
 - DRS Annual Retirement Statement 2001
 - Payroll status change 1/1/02
 - Memo dated 9/5/01 from Joyce George
 - Memo authorizing paychecks to Nancy Fullerton when Warren isn't available 4/11/01
 - Deferred Comp change form 10/31/00
 - DRS Annual Retirement Statement 2000
 - Check #3384 from Warren to City
 - Employer invoice
 - Payroll status change 1/1/01
 - Note to discontinue ICMA payroll deduction 1/31/01
 - Fax 1/8/01 Maria Dahlin
 - DRS Verification of Employment
 - Letter to Joyce George 8/31/01
- PERS membership eligibility
- W-2 1999
- Note to discontinue ICMA payroll deduction 3/31/99
- Performance Evaluation 1/4/00 / Excellent
- ICMA catch up sheets
- ICMA declaration of normal retirement age 1998
- ICMA catch up sheet
- ICMA employee change form 1998
- Worksheets
- Payroll history reports 9/29/98

.

2005

2002

2003

2000 -

GNLindaWorms\Warren Bohon File Index 2006.dox

3/20/2000

- 38
- Memo Warren examined file 7/13/98
- Memo to Richard Craig from Tim Nordtvedt 6/23/98
- DRS Annual Retirement Statement 1997
- ICMA enrollment form
- DRS Annual Retirement Statement 1996
- PERS statement
- 1995 payroll change
- Memo to Gary Armstrong 1/25/96
- NW Administrators Cobra 1/3/96
- Sexual harassment policy 5/17/95
- Memo from John Bach 5/23/95
- PERS statement 1994
- DRS enrollment form 1993
- Memo to Mayor Larson 12/30/93
- City drug policy acknowledgment 11/4/93
- W-4 1992
- Enrollment eligibility verification 10/15/92
- Copies of Drivers License and Social Security Card
- PERS Plan 2/DRS Member Handbook
- Medical Plan B (AWC/Regence Blue Shield)
- Dental Plan A (AWC)
- Entire Contents of Supervisor's file as of 3/15/06

Congratulations to

Warren Bohon

for completion of a training session on the OSHA Hazard Communication Standard.

Name of Company City

ity of Stam

Supervisor's Name

Bukman

Advantage Systems, Inc. **E** P.O. Box 152170 In Irving, Texas 75015 III © 1991 Advantage Systems, Inc. III 9M105



INTERNATIONAL CONFERENCE of BUILDING OFFICIALS

Certifies that

WARREN BOHON

has satisfactorily completed a course of instruction in

1997 UBC Earthquake Regulations "Overview and Perspective - Part 1"

and has been credited with .6 Continuing Education Units.

Awarded at Everett, Washington on this 2nd day of February, 2000.

Jon F. Tran

For the International Conference of Building Officials



INTERNATIONAL CONFERENCE of BUILDING OFFICIALS

Certifies that

WARREN BOHON

has satisfactorily completed a course of instruction in

Fire and Life-safety Issues of Inspection Issues of Inspection

and has been credited with .6 Continuing Education Units.

Awarded at Everett, Washington this 3rd day of February, 2000.

fon G. Tran

For the International Conference of Building Officials



INTERNATIONAL CONFERENCE of BUILDING OFFICIALS

Certifies that

WARREN BOHON

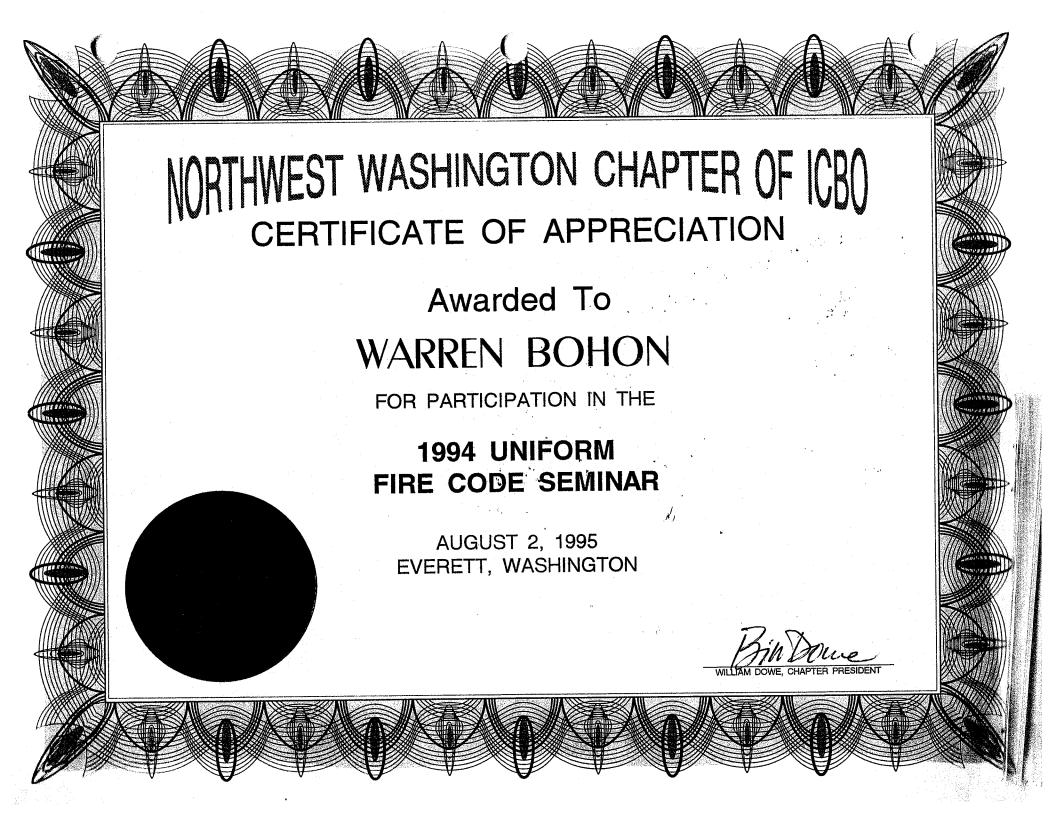
bas satisfactorily completed a course of instruction in

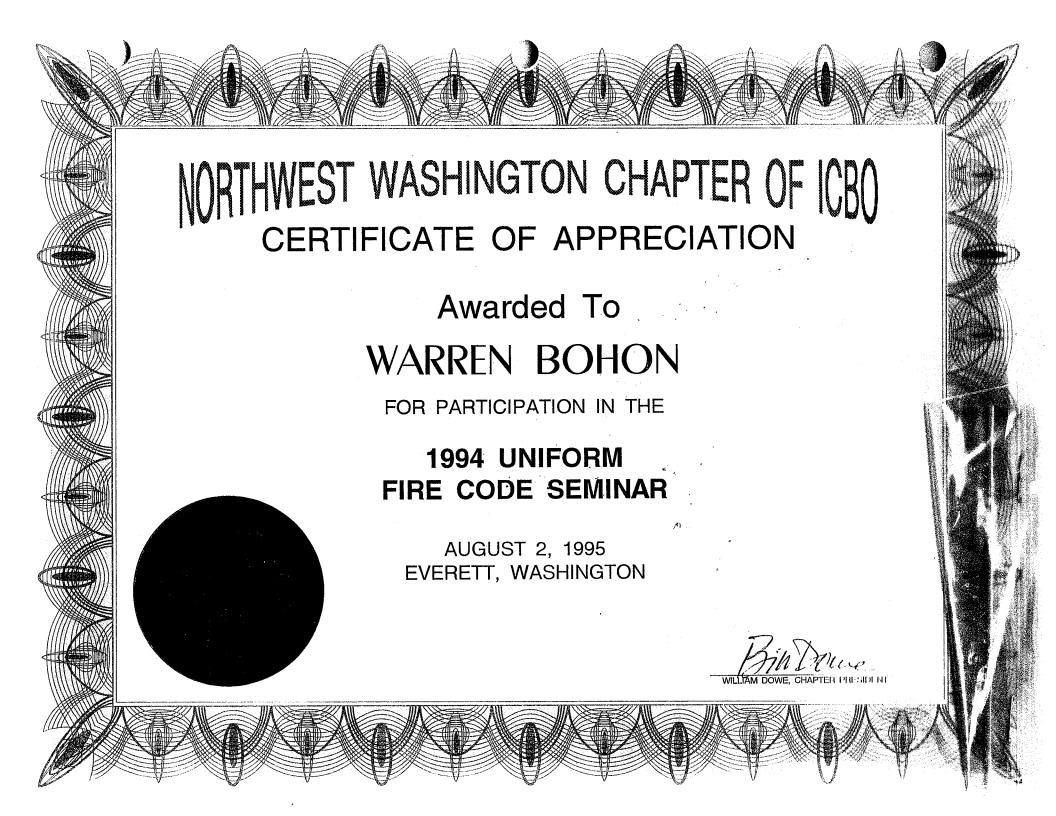
Design Plan Review III
"Exiting"

and has been credited with 1.3 Continuing Education Units.

Awarded at Tumwater, Washington this 23rd day of February, 1996

For the International Conference of Building Officials





Certificate of Training

is Certified

fload to

ol Lead

Con. Sediment Copie x

and n Course

Mater Quality Program Manager

3/18/97

tification Date

David S. Jenkins

Statewide Erosion Control Coordinator

3/18/2000

Expiration Date



This certifies that

WARREN BOHON

has completed the requirements for

STANDARD FIRST AID sponsored by

Snohomish County Chapter

Date completed

MAY 23 1995

This certifies that

WARREN BOHON

has completed the requirements for

ADULT CPR

sponsored by

Snohomish County Chapter

Date completed

MAY 2 3 1995

International Fire Code Institut

Certifies that

Warren Bohon

has satisfactorily completed a course of instruction in

Overview of the Uniform Fire Code

and has been credited with 1.3 Continuing Education Ur



Awarded at Bellevue, Washington this 20th day of No

A. Lee Wheeler, Chairman



INTERNATIONAL CONFERENCE of BUILDING OFFICIALS

Certifies that

WARREN BOHON

has satisfactorily completed a course of instruction in

Special Topics of Inspection

and has been credited with .6 Continuing Education Units.

Awarded at Everett, Washington this 4th day of February, 2000.

For the International Conference of Building Officials



Certificate of Completion This Is To Certify That

WARREN BOHON

Has Successfully Completed The Seminar

PERSONNEL LAW UPDATE

Conducted in

BELLEVUE, WA

FEBRUARY 27 - 28, 1996

And Is Awarded 1.2 Continuing Education Units (CEU's)

Diana Helfrich

Diana Helfrich, Managing Director Council On Education In Management 325 Lennon Lane, Walnut Creek, CA 94598



CERTIFICATE OF COMPLETION

This certifies that

Warren Bohon

participated in a seminar on

COMMUNICATION STRATEGIES FOR PUBLIC OFFICIALS

on January 22, 2001

Contact Hours: 4

Instructor:

CODE ENFORCEMENT PROFESSIONAL DEVELOPMENT SEMINARS



CERTIFICATE OF COMPLETION

awarded to

Warren Bohon

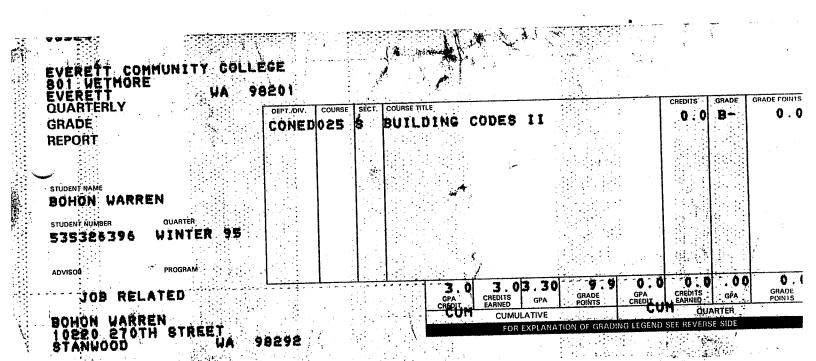
for completing a course of instruction in

Introduction to Soils

February 21, 1996

Wade K.

President, Rainier Chapter



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EVERETT COMMUN BOT WETMORE EVERTERLY	NA 38501	SE SECT. COURSE TITLE	CREDITS: GRADE GRADE PC
GRADE REPORT	CONEDOR	S BUILDING CODES ILL	
STUDENT NAME BOHON WARREN			
STUDENT NUMBER QU	UARTER PRING 95		

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EFFECTIVE DATE 1, 1,04 NAME: Warrer Bah PAYROLL#: 4080 STREET SOCIAL SECURITY NO. FOR NEW . NEW CITY, STATE, ZIP **EMPLOYEE ADDRESS** DATE OF BIRTH ONLY TELEPHONE FROM CHANGE TO (DOES NOT APPLY TO NEW EMPLOYEE) JOB -DEPARTMENT SHIFT \$1658.50 /MO. \$ 1578.50 /Mo. PAY LENGTH OF SERVICE INCREASE ☐ HIRED ☐ MERIT INCREASE ☐ REHIRED ☐ REEVALUATION OF CURRENT JOB ☐ RESIGNATION ☐ PROMOTION ☐ RETIREMENT ☐ PROBATION PERIOD COMPLETED ☐ DEMOTION ☐ UNION CONTRACT □ LAYOFF ☐ TRANSFER ☐ DISCHARGE COMMENTS, IF NECESSARY CHARGED ' ☐ YES LEAVE OF □ NO TO VACATION **ABSENCE** OTHER, EXPLAIN FECSI

EMPLOYEE PERFORMANCE EVALUATION

2000

EMPLOYEE ARRES BOI	40 h)		一覧ははついから	INSPECTOR/
PARTMENT	1010		EMPLOYEE NO.	WOOF FUTOR OF M
DATE OF PRESENT / / POSITION	DATE OF LAST EVALUATION	/ /	NEXT SCHEDULED EVALUATION	/ /
REASON FOR EVALUATION				
ANNUAL	MERIT		PERFORMANCE	
END OF PROBATION	PROMOT	TION	OTHER	
INSTRUCTIONS: Evaluate employed Circle the letter that best des if necessary. (N/A if Not App	oyee's work per cribes the emp	formance as it pertain	ns to the job requir since the last evalu	lation. Add comments
E - Excellent A - Above Ave	erage S - Sa	atisfactory D - De	creased Performar	nce U - Unsatisfactory
FACTORS	SINCE LAST EVALUATION		COMMENTS	
AVAILABILITY	(E)	N/A - EV	abiator hu	yea and
The degree to which an	A S	1. 1. older	- Liberto	unis accessment)
employee is prompt, follows rules concerning break and meal periods	D D	ALL APECINO	There (Wash	and architecture
and overall attendance.	Ū			
ADHERENCE TO POLICY	(E)	Varian adh	cos La ha	d hat and
The degree to which an	A			
moloyee follows safety rules and	S	all salety	procedures a	netoulously
r regulations.	U U	on the sab.	Also a	coreful driver.
BEHAVIOR PATTERN	(E)	ware disp	ela vs excel	tent udcental
The stability, politeness,	A	10	- A	
and judgement shown on the job.	S	with tech	micel 1550	es as well
on the job.	ū	as difficu	It people	
CREATIVITY	(E)	Many LEAS "	1 experience	Enhance
The degree to which an	C		7	
employee suggests ideas, discovers new and better ways of	S	wordens di	schrombut	ability
accomplishing goals.	Ü	in solving	problems a	occomplishing
DEPENDABILITY	Ę	N/A/W	arrans assp	SEMENT)
The degree to which an employee can be relied upon		16.10 018	oca who-	1
to complete a job.	D	14 DON! WAT	as conser	
,	Ų	LUSO.		
INDEPENDENCE	(E)	No curavis	un 16 120	willed Co-
The degree of work accomplished with little or no supervision.	S	11000- 16	a Known up	ha by
	D	notice tales	1 ache	ruse terms
ATIVE	U E	Mas resp	7 7 7	to a check was
The degree to which an employee	Ā	warm spe	nds tree	THINK STUDYING
searches out new tasks and	S	cades and	ragulations	, Ro nursues
expands abilities professionally	B	Oducations D	marentario	Hes (32)
and personally.	U	I JAM LON VII. VII.		CONTINUED ON REVERSE SIDE

	dauxamateroks	akkvilve	encies la propertie	POINTS
7.	Creativity:	\otimes o	90 - 100	- rom is always
	Evaluate the degree to which an employee	\bigcirc G	80 -89	(90) proactive in solving
	proposes ideas, finds new and better ways or	\bigcirc I	70 - 79	parbles in the Geld
	doing things.	$\bigcirc U$	60 - 69	
	Initiative:	Q 0	90 - 100	Initiative in colvina
ð.		\bigcirc G	80 -89	(98) erosion problems offeeting
	The degree to which an employee seeks out new assignments and assumes additional duties	\bigcirc I	70 - 79	() streete prives warren's
	when necessary.	\bigcirc U	60 - 69	initia the
	A. C	Ø 0	90 - 100	TO the extent I
9.	Adherence to Company Rules:	$\bigcap_{G} G$	80 - 89	see Warren he follows
	The degree to which an employee follows policies and procedures regarding safety,	OI	70 - 79	(94) all cett policies.
	security, other regulations and adheres to company policies.	O U	60 - 69	
		<u> </u>	90 - 100	Warren warrates
10). Personality:	$\bigcap G$	80 - 89	and intracts well with
	Evaluate the employee's cooperativeness, decision making skills, ability to work for and	$\bigcirc i$	70 - 79	(99) He public as well as
	with others and ability to handle confrontations.	$\bigcirc U$	60 - 69	Sellow employees.
				11001
1	1. Communication Skills:	$\bigotimes o$	90 - 100 80 <i>-</i> 89	rechal and wallen
	Evaluate the employee's ability to use language	$\bigcirc G$	70 - 79	(94) - In vapor de 0,117
	effectively, ability to express ideas clearly and grammatically, command of oral and written	O_I	60 - 69	com motori cather
	language, and ability to explain concepts to other	rs. O U		00 10
R	mployee's overall performance in compa	rison to pos	ition	Outstanding 90 - 10 90 - 80 - 89
a	and responsibilities.			0 0000
τ	total Points $(D_{b}(a) + Number of Factors Rate$	$_{ed}\left(\left. J\right. \right)$	=(97)	Operall Rating
1	old 7 old			Unsatisfactory 60 - 69
G	eneral Comments		_	
c	overall Accomplishments World v	Jarks	Noy u	vel with the public and
	cains compliance to	Buildir	19 न द	oning regulations without coloring
_	Shottle en VICOn ment.	Contr	rue :	study and mastery of all
u	and - ocalerall news	Inter,	rations	el Cooles
	What As much	bainer	c wh	whis rem critical with
L	Developmental Needs 143 much	livel	200	cls. To new body of cools.
	PS JWPares ()		-	Number of days
A	bsences: Frequency			
ļ	Employee Comments			· .
_	O believe me acont	lent 1	terloru	rance should be much
-	o the last	and of	1	of Roman Susations
	belle reflected in	Trung .	player's	Ala a se
L	Discussed with Employee 💢 Yes 🔘 No		ployee's // nature _//	Varren Dohoff Date 2/28/00
Ż			luator's	1 2 28/02 - 2/28/02-
ľ	Next Review date/		nature	Date

FACIORS	⊞ TON	THE WEATHER STATE OF THE STATE
PERSONAL RELATIONSHIPS		warren demonstrates excellent
willingness and ability	A	WAIN SWAYS CHILLIAM
communicate, cooperate, and	S	working allationships with the
work with co-workers, supervisors, applicustomers.	D	
	U	public as well as workers
Ke WLEDGE OF JOB	(E)-	zoning and residential
Useful technical skills and information used at work.	A	
inomation used at work.	<u>0</u>	Overall codes and commercial suilding
PRODUCTIVITY	Е	110000 0 10100 00
The accuracy of work finished	A	Work completes required tasks
in a specific amount of time	S	in a thorough and professional
	D	
	U	manner
QUALITY	E	
The accuracy, detail, and		Warren is a consciention and
acceptability of work accomplished.	S	dedicated in promoting public
accomplished.	ט	solety.
		SULPTY.
E - Excellent A - Above Ave	rage S - Sa	tisfactory D - Decreased Performance U - Unsatisfactory
NEW ACCOMPLISHMENTS OR ABIL	JTIES SINCE LAS	T EVALUATION:
worden as contri	huled -	land concert for the second
CC: WI	2 70	introvis suggesting for improving
the etvicency of	the bu	Iding Illial, zoning and construction
A S WHICH NEED IMPROVEMEN	in-	profess
7 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	11	
Continued Un	form to	des proficiency
		
RECOMMENDATIONS FOR CAREER	DEVELOPMENT	- SCHOOLING, SEMINARS, ETC.
Increase own	مه بل مرا	la elector - 1 commoner
The said of the	TALL ILEZ	for classes and seminars
Rate Employee's Performance overall	in comparison to t	he Job Requirements involved with his/her position.
T 7		rio des rioquirementa inverved with mer her position.
EXCELLENT	AVERAGE	UNSATISFACTORY
ABOVE AVERAGE	BELOW AVE	RAGE NOT RATED
OMMENTS		
f .		
Warren does an		F JOB IN his adas of expertise.
12 is thorough, a	mscienti.	
dividual was evaluated on/	14/0	Employee's Signature Warren E. Bohon
ollow up evaluation requested Yes	☐ No	Follow Up Date/
E.or	VEOF	Date 1-4-00
/aluator's SupervisorSTEPH	ANIE C	LEVELAND Date

erformance Appraisal PLEASE PRINT Position_ ployee Name MIDDLE Employee/Payroll #. Department () Unsatisfactory Performance Promotion Peer Appraisal (X) Annual Reason for Review Other _ () End of Introductory Period Merit Date employee Scheduled appraisal date _ began present position 10 Date of last appraisal ___

Instructions: Clearly evaluate the major objectives the employee was expected to accomplish and to what extent these objectives were met. Check rating circle to indicate the employee's performance. Indicate N/A if not applicable. Assign points for each rating within the scale and write that number in the corresponding points circle. Points will be totaled and averaged for an overall performance score.

Performance Definitions

Rating: Considering all factors, check the definition which best describes the employee's overall performance.

- This rating best describes a level of O - Outstanding: accomplishment that goes well beyond reasonable but demanding standards of performance, especially in the key, critical areas of major responsibilities.
- Good: This rating is reserved for those who clearly demonstrate
- I Improvement Needed: This rating best describes employees who have the ability to complete most assignments, however, the need for improvement and further development is clearly recognized.
- U Unsatisfactory: This category includes the noticeably less than acceptable. Performance of those whose work in terms of quality and quantity is obviously below job requirements, even when close vision has been provided.

performance which meets all the requirements of ti terms of quality and quantity of output.	he position	in superv	ision nas occin	, problem.
GENERAL FACTORS	RATING	SCALE	POINTS	COMMENTS
1. General Quality of Work:	⊗ 0	90 - 100		Worken excels in
Evaluate the employee's accuracy, attention to	\bigcirc G	80 -89	(96)	quality and is Know-
detail, originality, and degree of supervision	\bigcirc I	70 - 79	Ledo	Jedgeoble and personable
needed to accomplish tasks.	\bigcirc U	60 - 69		
2. Quantity of Work:	Q 0	90 - 100		To the extent I
Evaluate the quantity of work turned out and the	\bigcirc G	80 -89	(91)	sep worken's work he
promptness with which it is completed.	\bigcirc I	70 - 79	(96)	completes his assignm
	$\bigcirc U$	60 - 69		
3. Job Knowledge:	⊗ 0	90 - 100		works hard to
	$G \subseteq G$	80 - 89	(98)	study and mask the
Evaluate the degree to which an employee possesses the practical/technical knowledge	OI	70 - 79		extensive and complex
required on the job.	○ U	60 - 69		codes for building adentage
4. Reliability:	Q 0	90 - 100		Works on his
•	\bigcirc G	80 - 89	$\sigma(qg)$	own and accomplishe
Evaluate an employee's attentiveness, ability to follow instructions, and ability to meet	\bigcirc I	70 - 79		all that is expected
deadlines.	$\bigcup_{i=1}^{n} U_i$	60 - 69		of his position
5. Attendance:	⊗ 0	90 - 100		10 the bash of
<u>. 4</u>	\bigcirc G	80 - 89	(01)	my Knowledge his
Evaluate the degree to which an employee is punctual, observes prescribed work break/meal	$\bigcirc I$	70 - 79	(94)	alberdance is excellent.
neriods, and has an acceptable overall attendance record.	$\bigcup_{i=1}^{n} U_i$	60 - 69		4/17
6. Independence:	Ø 0	90 - 100		wersen carries ont
•	\bigcirc G	80 - 89	(0.7	most of his tasks with
Evaluate the degree to which an employee performs work with little or no supervision.	$\bigcup_{i=1}^{n} I_{i}$	70 - 79	(7)	little supervision (12)

	GENVERALI ATCHURS	40m	SOCALBE	•
7.	Creativity:	8 0	90 - 100	- is always
	Evaluate the degree to which an employee proposes ideas, finds new and better ways of doing things.	O G	80 -89	(98) proactive in solving
		OI	70 - 79	problems in the cities
		$\bigcirc v$	60 - 69	Y 1 1 10 Col 400
8.	Initiative:	Q 0	90 - 100	Initiative in solving
	The degree to which an employee seeks out	\bigcirc G	80 -89	(98) prosum problems officers
	new assignments and assumes additional duties	\bigcirc 1	70 - 79	streets proves warrans
	when necessary.	$\bigcirc U$	60 - 69	initia ties
0	Adherence to Company Rules:	Ø 0	90 - 100	TO the Extent I
J.		O G	80 - 89	(as see Warren he follows
	The degree to which an employee follows policies and procedures regarding safety,	\bigcirc I	70 - 79	(79) all city policies.
	security, other regulations and adheres to company policies.	$\bigcirc U$	60 - 69	
		Ø 0	90 - 100	Warnen wagerates
10). Personality:	\bigcirc G		(and interacts well with
	Evaluate the employee's cooperativeness, decision making skills, ability to work for and	$\bigcirc I$	70 - 79	(99) He public as well as
	with others and ability to handle confrontations.	O^{\perp}		Gellow employees.
_				4 4
1	1. Communication Skills:	\otimes 0		10 Apphal and wo Her
	Evaluate the employee's ability to use language effectively, ability to express ideas clearly and grammatically, command of oral and written	$\bigcirc G$		(qu) - 100 Village
		$\bigcirc I$	70 - 79	com mount cattor
	language, and ability to explain concepts to other	s. O U	60 - 69	
R	mployee's overall performance in compar	ison to p	osition	Outstanding 90 - 10
di	s and responsibilities.			Good 80 - 89
T	otal Points (/U/o) ÷ Number of Factors Rate	ea () [=(97)	Overall Rating Improvement Needed 70 - 79
I	oldi Tolliis (7044) Thanson of Tables			Unsatisfactory 60 - 69
G	eneral Comments			. 0 /4
0	verall Accomplishments World u	larks	Now w	vell with the public and
U	celing umpliance to	buld	ING A ZO	mine regulations without creative
	& hostile en viron ment.	Con.	time :	study and mastery of all
G	Goals for Improvements	Inde	rnatura	I Code:
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D	Pevelopmental Needs 195 march	Local	0 1000	es is next and a of cools.
	the bolling of	_ WEC	y proc	- Jackson
A	bsences: Frequency			Number of days
ī	Employee Comments			· **
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	it between my excell	cent.	perform	and should be the
	better reflected in.	my	Salary	1 Compensation
L	Di <u>sc</u> ussed with Employee 💢 Yes 🔘 No		imployee's	Marren Bohop Date 2/28/0
1	Ission date 2 28/02		· /	1) (Hazal)
۸	lext Review date//		valuator's ignature	1200000 Date 2/20/02

erforma.	BOHON	WARRE	PLEASE PRINT	Ĕ,_	BUILDING INSPECTER Position LODE ENFORCEMENT
	LAST	FIRST		MIDDLE	Employee/Payroll #
Department	0 1 1) Demotion	O Page A	ppraisal	() Unsatisfactory Performance
Reason for Review	⊗ Annual (→ Promotion → End of Introduct	•	ppruisui	Other
Oate employee began present positior		Date of last ap	oraisal		Scheduled appraisal date/_/_
nstructions: Clearly evaluricle to indicate the emploorresponding points circle.	ovee's performance. In	dicate N/A IT NOT ADDI	icavie. Assign j	Junus IVI e	nd to what extent these objectives were met. Check rati each rating within the scale and write that number in t
Performance .	<u>Definitions</u>				
Rating: Considering a lescribes the employee's	overall performanc	e.	who h	one the o	nt Needed: This rating best describes employe ibility to complete most assignments, however, to rovement and further development is clean
) - Outstanding: accomplishment that go	This rating best	describes a level sonable but demand	of recogn	ized.	
tandards of performan najor responsibilities.	ce, especially in the	e key, critical areas	or u-ori accept and a	able. Perl uantitv is e	ory: This category includes the noticeably less the formance of those whose work in terms of qual obviously below job requirements, even when clo
G - Good: This rating is performance which med erms of quality and qua	ets all the requirem	ono clearly aemonstr ents of the position	in		been provided.
GENERA	LFACTORS	RATING	SCALE	POINI	5 COMMENTS
1. General Quality of	Work:	Œ o	90 - 100		Crowls every crowns.
Lvaluate the employ	ee's accuracy, attent	ion to G	80 - 89	(100	Crim 15 livery Crimin
detail, originality, an needed to accomplis	d degree of supervis	ion [70 - 79		I sport.
needed to decomplia		$\bigcirc v$	60 - 69		- 1 i
2. Quantity of Work:		Ø o	90 - 100		Darren completes
Evaluate the quantity	v of work turned out	and the G	80 -89	(107) all work
promptness with whi	ich it is completed.	\bigcirc I	70 - 79	100	' <i>J</i>
		\bigcirc U	60 - 69		·
B. Job Knowledge:		00	90 - 100		Warren is conscient
Evaluate the degree t	o which on employe	e 😡 G	80 -89	(00	ad yery good with
possesses the practic	al/technical knowied		70 - 79	0	cosider to Construction. I
required on the job.		\bigcirc U	60 - 69		is working loved learning
4. Reliability:		X 0	90 - 100		U-pkix committee
		$\bigcap G$	80 - 89	10	1) Wester Complets you
Evaluate an employ follow instructions, a	ee s auenuveness, a and ability to meet		70 - 79	10	
deadlines.		$\bigcup_{i=1}^{\infty} U_i$	60 - 69		
5. Attendance:		Ø0	90 - 100		No 155Ves
Evaluate the degree	to which an ampley	$\bigcap G$	80 - 89	(10	7)
nunctual, observes t	prescribed work brea	k/meal [70 - 79	10	J
reriods, and has an attendance record.	acceptable overall	$\bigcirc U$	60 - 69		
6. Independence:		& 0	90 - 100		Werren wolles
	4	$\cap c$	80 - 89	(iri	1) independently
Evaluate the degree	Evaluate the degree to which an employee performs work with little or no supervision.	on. O I	70 - 79		
nerrorms work wur	titie of the barrens			`	/ L 2000

GENERAL FACTORS	RATING	SCALE	POINTS	COMMENTS
7. Creativity:	X 0	90 - 100		Derre 15 copation
Evaluate the degree to which an employee	○ G	80 -89	(ac)	in worlding with propell
proposes ideas, finds new and better ways of	\bigcirc I	<i>70 - 79</i>	$\langle D \rangle_{-}$	16e sains compleme
doing things.	\bigcirc U	60 - 69	wi	that columning animosity
8. Initiative:	0	90 - 100		Werner looks Con
The degree to which an employee seeks out	′ ⊖ G	80 -89	(a)-	work and is concerned
new assignments and assumes additional duties	\bigcirc I	70 - 79	(15)	with the big picture
when necessary.	$\bigcirc U$	60 - 69		in Edanword
9. Adherence to Company Rules:	Q o	90 - 100		No issues
The degree to which an employee follows	\bigcirc G	80 -89	(1/17) -	
nolicies and procedures regarding safety,	\bigcirc I	70 - 79	(100)	
security, other regulations and adheres to company policies.	$\bigcirc U$	60 - 69		
10. Personality:	Q 0	90 - 100		Warren 15 Responsible
Evaluate the employee's cooperativeness,	\bigcirc G	80 -89	(107) -	with the public No
decision making skills, ability to work for and with others and ability to handle confrontations.	\bigcirc I	70 - 79		worldings were were
will offers and dottily to harde commence.	<i>○ U</i>	60 - 69	U	with fellow exployers
11. Communication Skills:	\bigcirc o	90 - 100		(rotal Comminication
Fraluate the employee's ability to use language	$^{\prime}$ \bigotimes G	80 -89	(89)	
effectively, ability to express ideas clearly and grammatically, command of oral and written	$\bigcup_{-} I$	70 - 79		
language, and ability to explain concepts to othe	rs. O U	60 - 69		
ce employee's overall performance in compa	rison to pos	ition		© Outstanding 90 - 100
duties and responsibilities.				Good 80 - 89
Total Points (069) + Number of Factors Rate	ed (II)	= (97)	Overall Rating	∫ Improvement Needed 70 - 79∫ Unsatisfactory 60 - 69
General Comments	,	ŧ		
Overall Accomplishments UGTO dt	Ps his	yob V	er wer	ad has diplomatic
civille that are excellen	LIN	SAINIY	x (mp/	one to the codes
Goals for Improvements In Crassins	ionni	rich	construc	tion inspliction
exclused with projects	Wimi	ry vij	o in H	s play futires.
Developmental Needs As much	Frain	<u> </u>	s possi	50
Absences: Frequency		A	Number Will	of days Gil Umpen Soller
WATE I WOMEN RECOMMENT	Harl	HISK I	yyz wrycia	
Employee Comments W. W.	- ALCON	•		
		30.	viewd with	7 1 un northeast web 3/20/03
ussed with Employee 🛚 🖔 Yes 🔘 No		oloyee's	record.	Date
Discussion date/	-		A DO	06 / 7 72 A
Next Review date/		luator's // nature	mech	Date > /20 /0

7 attent 2004 2005



PERFORMANCE APPRAISAL

NAME: Warven Bohon Position: Bucia Inspect/Code Enf. CA
DATE OF HIRE: 10/92 DATE ASSIGNED TO CURRENT POSITION: 10/92
APPRAISAL PERIOD: From: 1/04 To: 12/04
APPRAISER: CIEVEIANG INOVATIVEST DATE: 1/26/05

THIS APPRAISAL SHOULD BE COMPLETED BY BOTH YOU AND YOUR SUPERVISOR SEPARATELY BEFORE YOUR MEETING. PLEASE USE THIS OPPORTUNITY TO COMMUNICATE ABOUT ISSUES THAT ARE IMPORTANT TO YOU. *THIS FORM IS CONFIDENTIAL*. IT IS FOR YOUR USE, AND THAT OF YOUR SUPERVISOR. COPIES WILL BE KEPT AS PART OF YOUR PERSONNEL RECORDS.

	RATING CATEGORIES
Superior (S)	 Performance significantly exceeds the requirements of the job and is among the best in the department. Achieves objectives at a superior level and demonstrates exceptional skills and innovation in work performance.
Exceeds Expectations (EE)	Performance exceeds job requirements in all major areas. Achieves performance objectives, often beyond expectations.
Meets Expectations (ME)	Performance meets job requirements in all-important areas. Achieves performance objectives as stated.
Below Expectations (BE)	 Performance is below job requirements in one or more important areas and immediate improvement will be required. Performance in one or more skill areas is less than expected and needs improvement. Additional training or learning is required in order for objectives to be achieved.
Unsatisfactory (U)	Performance is significantly below job requirements in several important areas. Performance in several skill areas is substantially weak. Performance objectives are not met, even under close supervision.

PART II: GOALS & OBJECTIVES:
Employee Name: Bohov Date: 156,05
For the period from:/ to:/
1. Start by reviewing your job description. Does your job description need to be revised to eliminate less important activities so that you can take on other, more important activities: Are there any areas where it would be helpful to clarify your role? (Job description can be attached.) It description to invisibly accurate. See an activate for the force of the first and activate and activate activate. See an activate activate activate activate. See an activate acti
 Describe progress to achieve goals that you and your supervisor agreed to in your last performance review.
NIA
3. Identify additional important assignments or responsibilities that you completed this year in addition to those identified in question #2. Feliow-up to long-term Bryant case larger projects inchese OFC, Securor Center apts, the Waste water Treatment Plant.
4. Recommend job-related and/or career goals you anticipate working this year. Identify specific activities that you would like to work on in support of the City's work program for the next year, which begins on
@ Support planning division by enforcing zoning cond on permits and in code enforcement cases.
(3) Get per in Down tor over time prior to taking it, or
at latest, if emergina, on the day of. (A) Follow up chronic code enforcement icc. included

5	What skills or expertise would you like to develop to enable you to achieve personal and/or professional object. What help do you need from the City? Identify training needs along with recommended time
Ť	ames.
	I wish the City to promote we the for responsibilities make it more equitable to the for responsibilities
	I visit the City to promote me to Code Enforcement Frances. I wish the City to promote me to Code Enforcement Frances. Marke it more againstable to the food responsibilities. The City words to convert the encourse inequalities. The City words to present in regards to pay interesses for it has allowed to present for manager and it was allowed to the specific for manager and it was all specifies and appearing for manager and it was all such as the interestion with City personnel & revolution of the City, enhance teamwork,
6	Do you have any suggestions on how to improve the overall functioning of the City, enhance teamwork, increase productivity? What can management do to make your job more satisfactory to you? (Optional)
Λ	conven believes that the Community Divilopment chartment is not given the needed work space,
F C	inances, or status required and deserved in emparison to the demands put on it and to ether
E	mployee Initials: 45 2/3/05
S	upervisor Initials:epartment Director Initials:eavor Initials:
b	ate: <u>/ 124105</u>

Department keep copy for file, send original to Personnel

			U	BE	ME	EE	s N
		b. Takes on assignments and addresses problems or complaints					
		without being asked.					
	6	TEAMWORK			_		
	0.	Contributes to the inter-departmental as well as Citywide spirit of					
		cooperation and positive image.			1		
		b. Uses good interpersonal skills and exhibits a positive attitude			旦		
		c. Involves and informs others as appropriate.	. 🗆			_ 🗆	
		d. Works toward team and individual goal achievement	. 🗆		Q/		
C.	MA	NAGEMENT/SUPERVISORY INDICATORS (when applicable)				<u>,</u>	=
	-1	Provides clear direction to employees.	. 🗆				
-	2.	Provides timely and meaningful feedback to employees.	<u>ا ا</u>				
	3.	Plans budget based on goals and objectives and then monitorsexpenditures to ensure fiscal responsibility.	لسل				
	4.	Pursues organizational goals ahead of personal agendas.	. 🗆				
D.	JO	B SPECIFIC INDICATORS	г				
	1.	Requiring Mandles difficult courses					
	2	Requiring handles difficult customers in code enforcement customers	🗀				
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	7.	***************************************	11				
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and the family	10.		🗆				_
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JOTTE		any plomo from ano for pay laist.	<u>:</u>				
							
uperviso	revie	wed and discussed the contents of Part I, A through E with me. In general, I agree	o	r I dis	agre	B	with
		A STATE OF THE STA					

the contents of this appraisal.	
5. Employee Comments: A Leberre my work for the city has.	bear better then the
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after than I have when enductions here	on who is more
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Employee Signature Sohon	43/05
Supervisor Signature	Date 1-26-05
Department Director Signature	Date 3 -30-65
Had July	Date
Wayor Signature	
Department keep copy for file, send original to HR.	destantial pay ruce.
Department keep copy for file, send original to HR. **Expression of Code Superconsult and General and	
do if ask that the prior for the att	chest as a fait of
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	☐ TRANSFER	☐ RETIREMENT	•
	MERIT INCREASE	☐ LAYOFF	
	UNION SCALE	☐ DISCHARGE	
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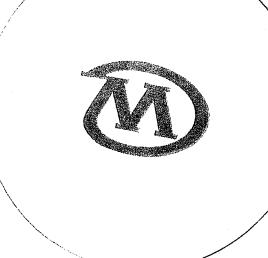
TO: PAYROLL DEPARTMENT

No.0090911061 Date 4/	11/16
RECEIVED OF WANDE PALL	ed law Group
	DOLLARS \$ 25,000.00
Amt. of Account Amt. Paid	
Balance Due OOO	By Warren Bohon

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JACKSON HOLE PICTURE

Your BEST GUIDE to Shops · Galleries · Restaurants Lodging · Services INCLUDING START BUS STOPS



STATE OF WASHINGTON CAPITOL CAMPUS 1 HOUR PARKING

Lot: NRB

Meter: 00000018-5328 Trans: 048747

Time: 2:38PM Date: NOV 12 2014 Cost: \$1.50

PERMIT VALID UNTIL:

3:38PM WED NOV 12 2014

PLACE FACE UP ON DASH QUESTIONS? 360-725-0030 SALES TAX IS INCLUDED HAVE A NICE DAY!

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Do not expose to excessive heat or direct sunlight. STAPLE

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The Wort Hotel 50 North Glenwood P.O. Box 69 Jackson, WY 83001 Tel: (307) 733-2190 Fax: (307) 733-2067

Guest Name:

Warren Bohon

14019 2nd Ave Nw

Marysville, WA 98271

USA

Room #:

111

Folio #:

R1EF74 - 1

Group #:

Guests: Clerk:

TRF

CL #:

CC #:

Arrive: 01/12/11

Time: 02:02 PM

Depart: 01/15/11

Time: 10:45 AM

Status: HIST

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Folio	Balance:	\$0.00

Signature:

Bohon v. Stanwood, Cause No. 73195-5-I
Brief of Appellant

Appendix B

CITY OFFICIALS

Mayor

(Four Year Term) Matthew J. McCune Term expires 12/31/01

Council members

(Four Year Term)

Cheryl Baker	Term expires 12/31/01
Shelley Klasse	Term expires 12/31/01
Les Anderson	Term expires 12/31/03
Bill Zingarelli	Term expires 12/31/03
Paul Thompson	Term expires 12/31/03

Planning Commissioners (Five Year Term)

Linda Utgard, Chair	Term expires 12/31/02
Jim Lund	Term expires 12/31/02
Dave Eldridge	Term expires 12/31/02
Herb Kuhnly	Term expires 12/31/02
Dale Weber	Term expires 12/31/04
Wade Starkenberg	Term expires 12/31/03

Department Heads

Public Works Director Bill Beckman

Stephanie Cleveland Community Development Director

Clerk Treasurer Landy Manuel Chief of Police Dave Bales

Scott Koehler Fire Chief

City Attorney

Thomas D. Coughlin

1996 CITY COUNCIL COMMITTEES

Ambulance

Les Anderson

work 239-9741

home 629-2972

Matt McCune

work 206 266-6718

home 629-6418

Education and Community Service

Erik Abrahamson

home 629-3905

Randy Jergensen

home 629-4028

Finance

Barb Gstohl

home 629-3234

Les Anderson

Health

Erik Abrahamson

Library

Barb Gstohl

Ordinance

Randy Jergensen Matt McCune

Public Safety

Les Anderson

Matt McCune

Public Works

Barb Gstohl

Les Anderson

Regional Affairs & Community Transit

Randy Jergensen

Erik Abrahamson

Barb Gstohl (Alternate)

Snohomish County Tomorrow

Matt McCune

Barb Gstohl (Alternate)

cnclcomm.doc/e



City of Stanwood

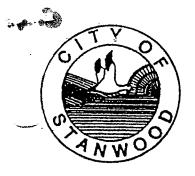
10220 270th Street NW Stanwood, Washington 98292 (360) 629-2181 FAX (360) 629-3009

STANWOOD CITY COUNCIL AGENDA

Regular Meeting of the City Council
Thursday, October 6, 2005 – 7:00 p.m. – City Hall

	2.000 0, 2000 0, 2000 0, 2000 p.m. — City 11411	
1.	CALL TO ORDER AND PLEDGE OF ALLEGIANCE	
2.	ROLL CALL	
3.	CITIZEN COMMENTS	
4.	APPROVAL OF THE AGENDA	
5.	CONSENT AGENDA	
	a. Approval of Payroll Checks and Vouchersb. Minutes of the September 15, 2005 Regular Meeting	5.1-5.2 5.3-5.6
6.	PUBLIC HEARINGS	
	a. Ordinance 1178, Interlocal Agreement for Collection of School Impact Fees, 1st Reading	6.1-6.9
7.	New Business	
	 a. Ordinance 1176, School Impact Fees Proposed Code Amendments, 1st Reading b. Authorize Mayor to enter into Professional Svcs. Agreement w/ Boggs Drainage c. 2006 Draft Budget Presentation d. Authorize Mayor to enter into Rate Study Agreement with HDR Engineering e. 	7.1-7.13 7.14-7.28 7.29-7.41 7.42-7.57
8.	REPORTS OF OFFICERS AND COMMITTEES	
	 a. Mayor's Report b. City Administrator / Public Works c. Community Development d. Building e. Parks f. Finance g. Personnel / City Clerk h. Public Safety 	
9.	CITIZEN COMMENTS	
10.	ADJOURN TO EXECUTIVE SESSION	
11.	RECONVENE AND ADJOURN	

THERE WILL BE NO STUDY SESSION TONIGHT



City of Stanwood

10220 - 270th Street NW Stanwood, Washington 98292 (360) 629-2181 or (360) 629-4577 FAX (360) 629-3009

Can 2001

Dear Applicant:

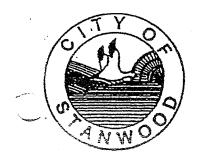
Enclosed you will find:

- Public Works job description
- Employment application
- Authorization for background investigation
- General information for applicants

Please attach a resume to your application.

The City of Stanwood is a full service city, providing water, sewer, police and fire protection. We have 26 full time employees and a general fund budget of approximately 3 million dollars.

This position is open until filled.



City of Stanwood

10220 - 270th Street NW Stanwood, Washington 98292 (360) 629-2181 or (360) 629-4577 FAX (360) 629-3009

PUBLIC WORKS FOREMAN CITY OF STANWOOD

Min. 3 yrs exp in util or general maint & trades area 2-3 yrs superv exp., sewer/wtr cert. pref. \$3000-3750/mo DOQ Open until filled. Apply to: City of Stanwood, 10220 270th ST NW 98292 360-629-2181

PUBLISH EVERETT HERALD FRIDAY, SATURDAY AND SUNDAY, JANUARY 12, 13 & 14, 2001

FAX NO. 425-252-5613

Jayre George 360-629-2181

PUBLIC WORKS FOREMAN POSITION DESCRIPTION

SALARY: \$3,000 - \$3,750/Month

STATUS: Exempt

GENERAL PURPOSE

Supervises, plans, directs and organizes the operation/maintenance activities of the water, sewer, street and parks functions within the Public Works Department.

SUPERVISION RECEIVED

Works under the immediate supervision of the Public Works Director.

SUPERVISION EXERCISED

Exercises close supervision over City maintenance workers and equipment operators. The number of workers supervised currently consists of nine full time employees and several seasonal employees. Primary emphasis is on the purposeful supervision of work teams engaged in various public works activities relating to water, sewer, street and park maintenance. Incumbent will develop effective working relationships with program officials, as well as with City employees and the general public.

ESSENTIAL DUTIES AND RESPONSIBILITIES

Work is performed with considerable latitude for independent judgment and action. Assignments are received in the form of oral instructions, work orders, established maintenance and service schedules, blueprints, sketches and rough notes. Requires the application of sound judgment and the application of technical engineering, trades and craft techniques and practices in a wide variety of public works activities. Work is reviewed for supervisory effectiveness, quality and timeliness of completed projects and conformance with governing laws, ordinance and local policies and procedures.

Supervises public works crews in a wide variety of tasks, such as maintenance and repair of water mains, pumps, motors, main line valves, fire hydrants, meters and storage tanks, meter reading, operating and servicing heavy road and construction equipment and light motor vehicles, cleaning roadside ditches, culverts and catch basins, repairing streets, guardrails and sidewalks, installing and repairing street and traffic control signs, payment striping, brush cutting and

tree trimming, clearing snow, ice and slide debris from streets and walks, maintenance of buildings and grounds, upkeep of city parks and maintenance and repair of sewer lines, pumps and related facilities.

Requisitions necessary supplies and services for operations in an efficient and effective manner; ensures compliance of with City purchasing policies and manages costs within allowable budgets.

Provides on-site direction and guidance to employees during assignments and inspects work in progress and upon completion, to insure compliance with work standards and local codes and proper safety techniques.

Analyses and troubleshoots problems such as street and sidewalk damage or obstructions, water and sewer main leaks and breaks, malfunctioning or inoperative water system pumps, motors, controls and water systems overload or misuse.

Plans/schedules daily work assignments and establishes work priorities. Periodically inspects tools and equipment to insure proper care and maintenance is being performed.

Prepares periodic work progress reports, maintains required records, logs, maps, blueprints and charts. Verifies employee time and attendance records.

DESIRED MINIMUM QUALIFICATIONS

Education and Experience:

(a) Graduation from high school or GED equivalent, and

(b) Minimum three years of progressively responsible work experience in the utilities or general maintenance and trades area, with 2-3 years supervisory experience. Any equivalent combination of education and experience.

(c) Certifications in water and/or wastewater preferred.

Necessary Knowledge, Skills and Abilities:

(a) Thorough knowledge of materials, methods and techniques commonly used in construction, maintenance and repair activities, as relates to assigned areas of specialization.

(b) Thorough knowledge of the occupational hazards and safety standards and practices applicable to the work being supervised.

(c) Good knowledge of Federal, State and local regulations and standards and of City and department policies and procedures.

(d) Good knowledge of the properties, utilization and care of the materials, tools and equipment used by the employees supervised.

(e) Ability to efficiently and effectively supervise and coordinate skilled, semi-skilled and unskilled employees performing a wide variety of maintenance, repair and service functions.

(f) Ability to make sound and timely recommendations for project implementation, and/or modification based upon established department plans and results of personal observations and needs analysis.

(g) Ability to read charts, diagrams and blueprints.

(h) Ability to communicate orally and in writing and establish and maintain effective working relationships with management, employees and the general public.

SPECIAL REQUIREMENTS

Valid State Drivers License, or ability to obtain one.

TOOLS AND EQUIPMENT USED

Knowledge of operation and use of motorized vehicles and equipment, including dump truck, pickup truck, utility truck, tamper, plate compactor, saws, pumps, compressors, sander, generators, common hand and power tools, shovels, wrenches, detection devices, mobile radio, phone, ditch witch, etc. Skill in use of detection devices, mobile radio, phones, personal computer, including word processing and other software, copy and fax machine.

WORK ENVIRONMENT

Work is performed primarily outdoors involving moderate risks, discomfort, or unpleasantness such as high level noise, dust, grease or mud, moving vehicles or machines, cold and/or wet weather. Normal safety precautions are required and may wear some protective clothing and equipment, such as rain and snow gear, boots, goggles and gloves.

PHYSICAL DEMANDS

Work requires some physical exertion, such as long periods of standing, walking over rough, uneven surfaces and recurring bending, crouching, stooping and reaching and occasional lifting of moderately heavy items. Work requires average physical agility and dexterity.

SELECTIONS GUIDELINES

Formal application, rating of education and experience; oral interview and reference check; job related tests may be required.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or logical assignment to the position.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

EMPLOYMENT

Applicants who are offered employment with the City of Stanwood will be required to provide proof of identity and authorization to work in the United States. This requirement is the result of the 1986 Federal Immigration Reform and Control Act (IRCA). This law prohibits the hiring of unauthorized aliens. A list of acceptable documents verifying identity and authorization to work will be provided to applicants who are offered employment.

HOURS OF WORK - The normal work week is forty (40) hours, Monday through Friday. Some weekend, evening, holiday or overtime work may be required.

AT-WILL EMPLOYMENT - Except for those employees who are under contract, all employees are considered "at-will" employees. The employment relationship may be terminated by the City or the employee at any time.

CAREER OPPORTUNITIES - The City encourages career development for its employees and, when possible, seeks to promote qualified employees from within the City.



BENEFITS

Full-time employees receive full medical, dental and vision coverage for employee and dependents, plus State Employee Retirement System for employee.

EEO NOTE - The City of Stanwood does not discriminate in hiring on the basis of race, creed, color, ethnicity, national origin, sex, age, or marital status. In compliance with the Americans with Disabilities Act, the City, recognizing the essential elements of a job, will determine reasonable accommodations to enable you safely and effectively to perform the job for which you are applying.



GENERAL INFORMATION FOR APPLICANTS

APPLICATIONS FOR EMPLOYMENT WITH THE CITY OF STANWOOD ARE AVAILABLE ONLY WHEN A VACANCY EXISTS AND ONLY FOR THE TIME PERIOD SPECIFIED IN THE ANNOUNCEMENT. APPLICATIONS ARE AVAILABLE BY MAIL OR IN PERSON. IT IS NOT THE CITY'S POLICY TO FAX OR EXPRESS MALL APPLICATION PACKETS.

FILING OF APPLICATION - A formal application and skills inventory/supplemental questionnaire (if required) must be fully completed and submitted to be considered for the position for which you are applying. RESUMES ALONE ARE NOT SUFFICIENT FOR CONSIDERATION, but may be attached to the application.

CIOSING DATE - Applications may be filed in person, by FAX, or by mail. All applications must be received by 5:00 p.m. on the CLOSING DATE unless otherwise indicated.

SCREENING - The quality and completeness of the information that you provide on the application form and skills inventory/supplemental questionnaire may determine whether or not you are called for an interview. THE APPLICATION FORM AND SKILLS INVENTORY/SUPPLEMENTAL QUESTIONNAIRE MUST BE COMPLETED IN THEIR ENTIRELY IN ORDER FOR YOU TO BE CONSIDERED FOR A POSITION. Incomplete answers or "see resume" will result in your losing points in the rating process and possibly will prevent you from being considered further.

TESTING - Knowledge, skills and/or physical testing may be required to measure a candidate's ability to perform essential functions of the position for which they are applying. Testing may include typing, 10-key, spelling, composition, mathematics functions, code or ordinance interpretation, equipment operation, maintenance and repair skills, etc. Scores of these or other tests will be taken into consideration in determining whether a candidate continues in the selection process.

NOTIFICATION - Persons selected for interview will be notified within approximately fifteen (15) days following the position closing date on the job announcement. If you need special accommodation during the interview phase of the selection process, please provide the City seventy-two (72) hours advanced notice. The City endeavors to reasonably accommodate everyone. All applicants who are interviewed will be notified of the results on the interview a process by letter.

NOT SELECTED - No formal notification will be sent by the City to applicants not selected for an interview. SHOULD THE SAME OR ANOTHER POSITION OPEN FOR WHICH YOU WISH TO APPLY, YOU MUST COMPLETE A NEW APPLICATION AND SKILLS INVENTORY/SUPPLEMENTAL QUESTIONNAIRE TO BE CONSIDERED FOR THE NEW OPENING.

4/11/93 city wrug The warmen " "

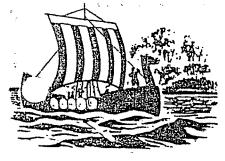
CITY OF STANWOOD Drug-Free Workplace

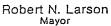
POLICY

- A. Substance abuse in the workplace can affect job performance, decrease productivity, lower morale, and create a hazardous environment, thus being a relevant issue for every City employee. The City establishes this policy in response to the growing awareness of the dangers of substance abuse and in accordance with the Drug-Free Workplace Act of 1988.
- B. The manufacturing, distribution, dispensation, possession and use of unlawful drugs on City premises by City employees is prohibited.
- C. Employees must notify the City within five days of any conviction for a drug violation in the workplace.
- D. The City will endeavor to accommodate an employee with a substance abuse problem in rehabilitative efforts; however, violations of this policy will result in disciplinary action, up to and including immediate termination of employment. Continued poor performance, of failure to successfully complete a rehabilitation program, are grounds for dismissal.
- E. In keeping with its efforts to provide a drug-free workplace for all its employees, the City understands that everyone benefits from a drug-free environment. The City will strive, through ongoing training, to inform employees about the hazards of substance abuse, and about counseling, rehabilitation, and employee assistance programs that are available.
- F. The City is aware of each employee's personal stake in maintaining a safe and productive workplace and assures confidentiality for employees seeking assistance or for employees reporting a suspected substance abuse problem.

PROCEDURE

- A. The City will provide a written copy of this drug policy to all employees and a copy of this policy in the orientation of all new employees.
- B. Ongoing drug awareness training will be conducted within individual departments for all City employees in order to implement the City's policy to maintain a drug-free environment. Supervisors and managers will be given additional training to recognize, document and handle performance-related issues.
- C. The medical insurance carrier for the City covers chemical dependency treatment for the employee. Any City employee





Jity of Stanwood

10220 - 270th Street NW Stanwood, Washington 98292

> (206) 629-2181 (206) 652-9090



CITY DRUG POLICY ACKNOWLEDGMENT

On November 4, 19 93, I reviewed the City Drug Abuse Policy and Videos.

- 1. "Drugs at Work"
- 2. "Taking Action: Substance Abuse in the Workplace"
 I understand the City Policy, the availability of treatment
 through the City insurance carrier and my obligation to inform
 my superior in writing, within Five (5) days upon my conviction
 for a drug violation in the workplace.

Warren E, Bohon

Employee Signature

Supervisor Signature

November 4, 1993

4 Nos 93

Date



wishing confidential assistance is encouraged to contact the insurance carrier.

D. Employee acknowledgment and understanding of Awareness Training received.

Marku ; Employee Signature nov 4, 199

Date

Supervisor Signature

Date



Jity of Stanwood

10220 - 270th Street NW Stanwood, Washington 98292 (360) 629-2181 (360) 652-9090 FAX (360) 629-3009

CITY SEXUAL HARASSMENT POLICY

on $MAY /7$, 19 95, I reviewed the City
Sexual Harassment Policy and the video "Sexual Harassment
is Bad Business".
I understand the City policy concerning the right of any
employee to report sexual harassment to his/her supervisor
and that disciplinary action will be taken against an
employee who commits or participates in any form of sexual
harrassment, up to and including termination of employment.
Marren E. Boson 5/17/95
Employee Signature Date
Supervisor Signature Date

DEPARTMENT LIST 1995

Public Works		
Gary Armstrong	Public Works Director	629-4577
Richard Craig	Planning Director	02) 43//
Del Vey	Plumbing Inspector	
Tim Nordtvedt	Building Inspector	
Warren Bohon	Zoning Enforcer/Asst Fire Inspector	
Nancy Fullerton	Administrative Assistant I	
Sandy Horn	Utility Clerk I	
Jerry Cronin	General Services/Maintenance	
Park/Street		
Jerry Fure	Maintenance Leader	629-9617
Leeon Adams	Maintenance Worker	025 7017
Randy Richard	Maintenance Helper	
Sewer/Street		
John Magill	Sewer/Street/Drainage Manager	629-9782
Kevin Hushagen	Maintenance Leader	02)) 102
Water		-
Bill Beckman	Water Department Manager	629-9781
John Case	Maintenance Worker	025 5701
Rod Sundberg	Maintenance Worker	
Tom Heaphy	Maintenance Helper	
City Clerk's Office		
Ray L. Nielsen	Clerk Treasurer	629-2181
Joyce George	Deputy Clerk	
Linda Heinichen	Records Specialist	
Paula Mick	Accounts Payable	·
Ambulance	•	
Bev Handshumaker	Ambulance Billing Clerk	629-3241
Fire Department (Volum	nteer)	
Jerry Hood	Fire Chief	629-3897
Jack Freberg	Assistant Fire Chief	629-3459
LeRoy Moses	Fire Marshal/Inspector	629-2653

Reprone Cleveland

POSITION DESCRIPTION COMMUNITY DEVELOPMENT DIRECTOR

SALARY DOQ

GENERAL PURPOSE

Performs a variety of supervisory, administrative, technical and professional tasks in the current and long range planning programs of the city related to the development and implementation of land use and related municipal plans and policies.

SUPERVISION EXERCISED

Exercises supervision over permit coordinator, building inspector/code enforcement officer and other department staff.

ESSENTIAL DUTIES AND RESPONSIBILITIES

Manages and supervises planning operations to achieve goals within available resources; plans and organizes workloads and staff assignments; trains, motivates and evaluates assigned staff; reviews progress and directs changes as needed.

Provides leadership and direction in the development of short and long range plans; gathers, interprets, and prepares data for studies, reports and recommendations; coordinates department activities with other departments and agencies as needed.

Provides professional planning and land use advice to Mayor, Council, Planning Commission and department heads; makes private and public presentations to Council, boards, commissions, civic groups and the general public.

Assures that assigned areas of responsibility are performed within budget; performs cost control activities; monitors revenues and expenditures in assigned area to assure sound fiscal control; prepares annual budget requests; assures effective and efficient use of budgeted funds, personnel, materials, facilities, and time.

Determines work procedures, prepares work schedules, and expedites workflow; studies and standardizes procedures to improve efficiency and effectiveness of operations.

Issues written and oral instructions; assigns duties and examines work for exactness, neatness, and conformance to policies and procedures.

Maintains harmony among workers and resolves grievances; Performs or assists subordinates in performing duties; adjusts errors and complaints.

CITY OF STANWOOD

1998 BUDGET SUMMARY

Expenditures:

- Contractual increases for wages are 3.7% for police, 3% for public works, 4% for administrative employees and 3% for exempt.
- Retirement, L & I and unemployment rates are expected to decline slightly. Medical costs will rise about 3%.
- School Resource Officer added funded for 1998 in part by COPS grant.
- Part time Animal Control Officer changed to full time Code Enforcement Officer.
- Creating a paid Reserve Officer position twelve hours per week at \$8.00 per hour, no benefits.
- Assistant Planner to permanent full time position with benefits.
- \$25,000 for hardware, software and wiring for networking City Hall and Police Station.
- Amounts adequate to pay 1997 & 1998 costs for jail, prosecuting attorney and public defense pending contract settlement.
- Replacing police chief vehicle.
- Adding night duty officer position in fire department.
- Establish reserve for recreation center.
- Setup and fund equipment replacement reserves for both general government and utilities.

Memorandum

TO:

Community Development Department

FROM:

Stephanie Cleveland, Community Development Director

SUBJECT:

2002 Budget Requests

DATE:

September 13, 2001

That time has sprung up on us again—or me, maybe I should say. For the next two weeks I will be working on preparing the 2002 departmental budget. Please jot down any requests or thoughts or needs or pie-in-the-sky whims you have—anything that you think will improve your productivity or that of the overall department. Classes, furniture, contracts, employees. Please don't forget to include estimated costs associated with your item. Please get your list to me by Friday, September 21. (Sorry for the short notice.)

Here are some thoughts I had that some of the noted individuals might want to think about.

Nancy—Ordering new notice board signs.

Ann—Watershed contract; engineer contract, intern needs.

Linda—Supply budget; print budget.

Tim-Contract amounts.

For your reference, I included this year's budgets attached.

Thanks.

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2001 Budget-Bldg Dept CODE. New 4x4 SUV - Cocle Enf/Bldg cherp 25,000 + Fund - Cover the Following Transportation Registration Fees Subscription Fees
Periodicals Bldg Papt

Building

Mechanical Plumbing Code ENF. Veh Fuel, MAINT, LIC, Ms. 2500,00

the duties of his office. (Ord. 1017, 1997; Ord. 814 § 6, 1991; Ord. 729 § 1, 1987; Ord. 681 § 6, 1986; Ord. 647 § 6, 1984; Ord. 626 § 6, 1984; Ord. 614 § 6, 1983; Ord. 515 § 7, 1978; Ord. 388 § 2, 1973).

2.08 260 Council member - Compensation - Reimbursement.

- (1) Regular Meetings. The compensation of each council member shall be \$75.00 for each regular meeting of the council, not to exceed two meetings in any one month.
- (2) Other Meetings. For attending any special meeting; a regularly called committee meeting; and for attendance at any Association of Washington Cities, Puget Sound Governmental Conference, or other official meetings authorized by the mayor or a majority of the council, they shall receive the sum of \$30.00, except when the meeting is consecutive with a meeting for which other payment is authorized.
 - (3) Payroll Procedure.
- (a) The city clerk-treasurer shall include payment on the next payroll for attendance at regular and special meetings of the council where roll is taken and minutes are recorded.
- (b) A council member may submit a payroll voucher, listing the date, place and purpose of other meetings. The voucher is subject to the audit and approval of the city council before payment may be made.
- (4) Expenses. Each member of the city council shall be reimbursed for actual expenses incurred in the discharge of his official duties upon presentation of a claim therefor, after allowance and approval by motion of the city council.
- (5) The effective date of the ordinance codified in this section shall be January 1, 2000. (Ord 1079, 1999; Ord. 945 § 1, 1995; Ord. 815 § 1, 1991; Ord. 729 § 2, 1987; Ord. 650 § 1, 1985; Ord. 403 § 1, 1973; Ord. 388 § 3, 1973).

2.08.350 Reimbursement of expenses.

(1) Reimbursements Allowed. Meals occurring when the officer, agent or employee is or city business, or while in his official capacity as officer, agent, or employee attending a meeting of an organization or group of which the city is a member, or the officer,

- agent, or employee is a member; lodging while on city business, away from the city overnight; automobile mileage at 90 percent of the standard mileage rate as set forth in the most current issue of IRS Publication 17, while on city business; parking tolls, public transportation, and registration/material fees. Agents may include persons requested by the city to act on the city's behalf or perform a service for the city.
- (2) Reimbursement Not Allowed. Alcoholic beverages, traffic and parking tickets, and expenses for persons not officers, employees, or agents of the city shall not be reimbursed. Reimbursement for expenses shall not be allowed except as provided in subsection (1) of this section.
- (3) City Credit Cards. City credit cards may in no case be used to provide gas, supplies or other expenses of personal vehicles in lieu of the automobile mileage rate.
- (4) Reimbursement Procedure. All claims for expenses by the mayor, council members, or officers, agents, or employees of the city shall be submitted and approved for payment by the city council, as follows:
- (a) Vouchers General. All claims for reimbursement shall be submitted on a voucher provided by the city and shall be subject to audit and approval by the appropriate department head and council.
- (b) The voucher must state the date the expense was incurred, the purpose of the expense, the destination, the mileage for travel mileage claimed, the name of the business, organization, office visited or meeting attended.
- (5) Expenses Charged to City. The following expenses may be charged directly to the city or prepaid when authorized.
- (a) Hotel, motel room charges, not to include parking, valet services, meals or other charges.
- (b) Registration and other fees for meetings, conferences, conventions, etc. which may include meals, materials or other charges.
- (6) Receipts Required. Receipts are required for all reimbursement claims except for the following:
- (a) Tolls, parking, and other charges where receipts are not normally available.

CITY OF STANWOOD

1998 BUDGET SUMMARY

Expenditures:

- Contractual increases for wages are 3.7% for police, 3% for public works, 4% for administrative employees and 3% for exempt.
- Retirement, L & I and unemployment rates are expected to decline slightly. Medical costs will rise about 3%.
- School Resource Officer added funded for 1998 in part by COPS grant.
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- Assistant Planner to permanent full time position with benefits.
- \$25,000 for hardware, software and wiring for networking City Hall and Police Station.
- Amounts adequate to pay 1997 & 1998 costs for jail, prosecuting attorney and public defense pending contract settlement.
- Replacing police chief vehicle.
- Adding night duty officer position in fire department.
- Establish reserve for recreation center.
- Setup and fund equipment replacement reserves for both general government and utilities.

- RCW 10.97.100 authorizes police departments to collect reasonable fees for the dissemination of criminal history record information to agencies and persons other than other criminal justice agencies.
- RCW 3.62.060 and RCW 3.62.065 authorize municipal courts, and municipal departments of district courts, to charge specific fees for various services, including duplication of part or all of the electronic tape or tapes of a court proceeding.

Question: How should the city handle a request for a duplicate copy of a tape recording of a council meeting or a public hearing?

Answer: Because there is a possibility that the original tape will be mishandled or lost, the clerk should not provide the original of the tape to the requestor and allow that individual to make a copy. The city should make the duplicate tape, or contract with a reputable company to make a duplicate, and charge the requestor the actual cost of duplication.

Prompt Responses Required—RCW 42.17.320

Within five business days of receiving a request for a public record, a city must respond by either:

- Providing for inspection and/or copying of the record;
- Acknowledging receipt of the request and providing a reasonable estimate of the time necessary to respond; or
- Denying the request. If a request is denied, a written statement must accompany the denial setting out the specific reasons therefor.

Note that although responses must be made within five days, another statute requires cities "provide for the fullest assistance to inquirers and the most timely possible action on requests for information." 89

Failure to provide a written response within the five day period can result in a civil award of statutory penalties.⁹⁰

Additional Time for Response—RCW 42.17.320

Additional time to respond to a request may be based upon the need to:

⁸⁹RCW 42.17.290, emphasis added.

⁹⁰ See RCW 42.17.340(4) and DOE I v. Washington State Patrol, 80 Wn. App. 296 (1996).

f. Public Safety

Councilmember Baker provided an ambulance report and announced that the next committee meeting is scheduled for 6/10/04.

Fire Chief Kevin Taylor reported on budget issues, the Captain assessment center, labor negotiations, the grant for Fire Department bicycles.

City Attorney Grant Weed reported on a recent State Supreme Court decision that declares the criminal offense of 3rd degree driving with license suspended as unconstitutional.

8. Adjourn to Executive Session

Mayor Kuhnly adjourned the meeting at to executive session at 7:31 p.m. to discuss potential litigation.

9. Reconvene and Adjourn

The meeting reconvened at 8:06 p.m.

Motion by Councilmember Klasse, second by Councilmember Baker to authorize the Mayor to sign a release and settlement agreement as discussed in executive session. Motion carried unanimously.

Motion by Councilmember Klasse, second by Councilmember Chappel to authorize the Mayor to enter into an emergency Public Works contract to repair the sewer trunkline on 271st Street NW. Motion carried unanimously.

City Attorney Grant Weed stated that his office would prepare the formal resolution for the emergency Public Works contract and bring it forward at the next regular meeting.

There being no further business before the Council, Mayor Kuhnly declared the meeting adjourned at 8:09 p.m.

CITY OF STANWOOD

H.W. Kuhnly, Mayor

ynda L. Jeffries, City Clerk

Stanwood City Council 06.03.04 Regular Meeting Page 3 of 3

AFFIDAVIT OF SERVICE

STATE OF WASHINGTON)) ss: AFFIDAVIT OF SERVICE
County of Snohomish) ss: AFFIDAVII OF SERVICE
Ereix R Agranamson being first duly sworn, upon oath deposes and says:
That at all times hereinafter mentioned, s/he was and now is a resident of the State of Washington, over the age of eighteen years, not a party to or interested in the foregoing matter, and competent to be a witness therein; that on the 27 th day of
September , 2007, she did duly serve the attached COMPLAINT FOR INJUNCTIVE
RELIEF AND DAMAGES upon [174 OF STEWWOOD] by delivering to and leaving
with said
Snohomish County, the original or a true and correct copy thereof.
Time: 12:45 DM
Place: STANWOOD CITY HALL O DIL
Allen Comment
SUBSCRIBED AND SWORN to before me this 27 day of Som Services.
Swar Gally of Market 1990
Notary Public Sicle of Washington SUSAN G Wiley-POE My Appointment Expires May 23, 2011

AFFIDAVIT OF SERVICE

) ss: AFFIDAVIT OF SERVICE
County of Snohomish)
ERIX R ABRAHAMSON being first duly sworn, upon oath deposes and says:
That at all times hereinafter mentioned, s/he was and now is a resident of the State of Washington, over the age of eighteen years, not a party to or interested in the foregoing matter, and competent to be a witness therein; that on the 27th day of
September , 2007, s/he did duly serve the attached COMPLAINT FOR INJUNCTIVE
RELIEF AND DAMAGES upon WILLIAM BELKMAN by delivering to and leaving
with said BILL BRUCMAN (his/her home or office Receptionist in Stanwood, said
Snohomish County, the original or a true and correct copy thereof.
Time: 12 145 PM
Place: STANWOOD CITY HALL
SUBSCRIBED AND SWORN to before me this 27 day of 2007
5 wan Glar Fox
Notary Public State of Washington SUSAN & WILEY-POE My Appointment Expires May 23, 2011

a. Mayor

Mayor Kuhnly reported that the City has agreed to keep Church Creek Park open during winter daylight hours, provided no vandalism occurs.

b. City Administrator / Public Works

City Administrator Beckman announced that city employee Kevin Hushagen has received his Wastewater Treatment Group 3 certificate and urged Council and staff to congratulate him for achieving this difficult certification.

Administrator Beckman also provided updates on several road construction projects.

c. Community Development

Director Hansen distributed copies of the updated Comprehensive Plan documents and building and land use permitting logs. Director Hansen also reported on the 2005 Community Enhancement Awards which will be presented by the Mayor at the 11/8/05 Chamber meeting.

d. Building

Councilmember Powell reported that the committee is scheduled to meet on Monday, 11/7/05 at 5:15 p.m.

e. Parks

Councilmember White requested a status report on the horseshoe pits at Heritage Park. Mr. Beckman reported that the project would begin in the near future.

f. Finance

<u>Director Brown</u> requested a committee meeting prior to the next City Council meeting.

g. Personnel / Clerk

Councilmember Baker requested information on elected officials training for 2006.

h. Public Safety

Councilmember Baker provided an ambulance report and reported that the committee met to discuss vehicle replacement issues.

Stanwood City Council 11.03.05Regular Meeting Page 3 of 4

INCENTIVE PAY ASSUMPTIONS: For 1997 Budget

'09-Oct-96

A. Public Works Certificate Pay: \$10/certificate

	Monthly		Annual	
Employee	Premium	Certificates	Premium	
L. Adams	\$30	Water Distribution Specialist 1	\$360	
PK		Sign & Marking Specialist		
		Water Distribution Manager Fl Work Zone Safety Specialist	988iNX (919)	
J. Fure,	\$30	Work Zone Safety Specialist	\$360	•
ρK		Flagging & Traffic Control		
·		Sign & Marking Specialist		
K. Hushagen	\$70	 Wastewater Treatment Plant Oper 	rator \$840	
	£ 10 =	Sign & Marking Specialist II	142	
	700	Sign & Marking Specialist I		
	- 80	Water Distribution Specialist I ↔	2	
		Flooging & Traffic Control.	•	
	•	Water Distribution Manager I		,
		Water Distribution Manager II		
R. Richards	· \$40	Water Distribution Specialist 1	\$480	\bigcirc \bigcirc
0	10_	Work Zone Safety Specialist		per (bhn)
Pesticide	\$50	Sign & Marking Specialist		
		Flagging & Traffic Control		1/21/97
T. Heaphy	\$20	Water Distribution Specialist 1	\$240	
. •	PK	Flagging & Traffic Control		
R. Sundberg	\$10	Water Distribution Specialist 1	\$120	

B. Longevity Pay Public Works:

Tenure	Premium Paid		
6-8 years (7th & 8th	\$60 per month		
8-10 years	\$120 per month		
10-12 years	\$180 per month		
12-14 years	\$240 per month		
ننر 20 years	\$300 per month		
Over 20 years	\$350 per month 375		

C. Longevity Pay Administrative Employees:

Tenure	Prer	Premium Paid		
6-8 years	\$60 per month			
8-10 years	\$120	per month		
10-12 years	\$180 per month			
12-15 years	\$240	per month		
15+ years	\$300	per month		

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WW115/950228T

WASHINGTON STATE DEPARTMENT OF AGRICULTURE (WSDA) PESTICIDE LICENSE

Instructions

- 1. REMOVE License and Personal Recertification Course Record at perforations.
- 2. FOLD where indicated.
- 3. CARRY Licensé/Course Record in a safe place.

- Please Note

 1. The Commercial Operator license (type 02) is only valid when working for a WSDA licensed CommercialApplicator.

 2. The Public Operator (type 02)
- 2. The Public Operator (type 03) and Public Consultant (type 08) licenses are only valid when employed by a public agency.

 3. The Dealer Manager license (type 09) is only valid when employed by a licensed '
 - Pesticide Dealer outlet.



1997 WASHINGTON STATE DEPARTMENT OF AGRICULTURE PESTICIDE LICENSE

RICHARD, RANDALL J 2312 SUNDAY LAKE RD STANWOOD, WA 98292-9239

Lic Typ: 02,

OB,

Recent:

94-1998

44231

CATEGORIES

LICENSE NO.

RECERTIFICATION COURSE RECORD

(Use to maintain personal records)

	Date	Course Number	Course Name/Location	Credits
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What Are Public Records?

A "public record" is defined to include,

... any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.¹⁷

"Writing" is also defined in the disclosure statutes:

"Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including, but not limited to, letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture, film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound recordings, and other documents including existing data compilations from which information may be obtained or translated.¹⁸

Whether private business records can relate to "conduct of government" has not been addressed by Washington courts. However, the Washington Supreme Court has held that where "records relate to the conduct of ... [a public agency] ... and to its governmental function. ... [T]he records are 'public records' within the scope of the public records act."²⁰

Local governments are not required to create documents in order to comply with a request for specific information.²¹ Rather, they must produce existing records for review and copying. Also, local governments are not obligated to compile information from various records so that information is in a form that is more useful to the requestor. For example, if someone wants records concerning the time it took the city fire department to respond to residential fires occurring between midnight and 6:00 a.m. over a two year period, the city only needs to provide copies of existing records.²² City employees are not required to do research for private individuals.²³

¹⁷RCW 42.17.020(36).

¹⁸RCW 42.17.020(42).

¹⁹See Kenyon, *supra* note 4 (discussing private records that may become subject to the PDA though its use by a public agency).

²⁰Confederated Tribes of Chehalis Reservation v. Johnson, 135 Wn.2d 734, 748 (1998) (holding that records showing amount of community contributions paid by tribes under the terms of a tribal-state gaming compacts are within the scope of the PDA).

²¹Citizens for Fair Share, 117 Wn. App. at 435 (citing Smith v. Okanogan County, 100 Wn. App. 7, 13–44 (2000)).

²² Smith, 100 Wn. App. at 18.

²³Bonamy v. City of Seattle, 92 Wn. App. 403, 409 (1993).



City of Stanwood

10220 270th Street NW Stanwood, Washington 98292 (360) 629-2181 FAX (360) 629-3009

September 11, 2003

Gary Schmitt **Business Representative** PO Box 764 Mt. Vernon, WA 98273-0764

Dear Mr. Schmitt:

The City is in receipt of your letter concerning the Street/Parks Lead Position. Unfortunately due to financial constraints and other priorities of the City, as permitted under the Management Rights section of the collective bargaining agreement, we have decided to not fill the Maintenance Lead position. Therefore no vacancy notice will be posted.

With regards to your request for additional compensation for Mr. Adams and Mr. Richard, there has been no essential change in their job duties or workload to warrant additional compensation. The supervisory and budgetary duties of the lead position have been performed by the Public Works Supervisor since the creation of the supervisor position several years ago. The remaining job duties are the same as those already performed by Mr. Adams and Mr. Richard. Any effect that the elimination of the lead position has on the remaining positions is at most minimal. If you have information that would show otherwise, please let me know.

Despite budget constraints, the City would be more than willing to meet with you to discuss any further concerns or issues relating to this job elimination.

Sincerely

Landy Manuel

Director of Finance

RECEIVED

SEP 1 5 2003

General Teamsters' Local Union, 231

General Teamsters, Warehouse Employees, Law Enforcement and Public Employees, Food Processing and Cannery Workers, Whatcom, San Juan, Skagit and Island Counties, Washington, including Food Processing, Cannery Workers and Warehousemen in the Cities of Stanwood, Arlington, Snohomish and Monroe in Snohomish County, Washington

Affiliated with the International Brotherhood of Teamsters

MICHAEL COLLINS, Secretary-Treasurer CHUCK EGGERT, Business Representative STEVEN THORP, Business Representative 1700 N. State Street, PO Box "H" Bellingham, WA 98227-0298 (360) 734-7780 • Fax (360) 734-7783



BRANCH OFFICE: STEVEN CHANDLER, Business Representative 420 Gates Street PO Box 764 Mt. Vernon, WA 98273-0764 (360) 336-3129 • Fax (360) 336-3120

August 25, 2003

Landy Manul Finance/Personnel Director 10220 270th NW Stanwood, WA 98292

Reference: Street/Park Maintenance Lead Position

Dear Mr. Manul,

The recent retirement of the Street/Parks Maintenance Lead has created an opening that requires posting pursuant to our collective bargaining agreement.

The Union has determined the essential duties and responsibilities of the Lead position are being performed on a daily basis by Teamster bargaining unit members Randy Richard and Leeon Adams.

We request Mr. Richard and Mr. Adams be compensated for all hours performing Lead duties since the vacancy. In addition, we request this vacancy be posted pursuant to Article VI.

VI PROBATION PERIOD, LAYOFF, RECALL AND JOB VACANCIES, specifically Article 6.9 lob Vacancies and 6.5.1.

Please call me at 360-336-3929 to discuss this matter further.

Respectfully,

Gary Schmitt, Business Representative

CC: Jerry Cronin – Steward Russ Reid - Counsel

-5 ca**d (19**0



City of Stanwood

10220 270th Street NW Stanwood, Washington 98292 (360) 629-2181 FAX (360) 629-3009

May 11, 2005

Erik Abrahamson 27119 102nd Drive NW Stanwood, WA 98292

Re: Public Disclosure Request dated March 29, 2005 titled "...details of the settlement payoff after termination (of Gary Armstrong) September or October 1998."

Dear Mr. Abrahamson:

As you know, the City is required to make "public records available for inspection and copying," and the City must "upon request for identifiable public records, make them promptly available to any person." RCW 42.17.270. "Public records" are defined in RCW 42.17.020(36), and relate to "any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function, prepared, owned, used or retained by any state or local agency, regardless of physical form or characteristics." Therefore, the City is not required to create records in order to respond to citizen requests.

The City is allowed to charge a fee for the copying of public records, which is calculated in the manner set forth in RCW 42.17.300. The City is required to establish procedures to provide for full public access to public records, but also "to protect public records from damage or disorganization, and to prevent excessive interference with other essential functions" of the City. RCW 42.17.290.

With the above in mind, the following are the City's responses to your requests (as identified above):

1. "All details relating to the reasons for Gary Armstrong's termination – how much time remained on his contract and the monetary settlement amount to settle the contract dispute." The city has located a file generated by former City Attorney Tom Coughlin entitled "Gary Armstrong, Admin/Public Works Director" which includes information concerning termination issues. The information contained in this file may be subject to attorney/client privilege and therefore not subject to disclosure. We have asked our current city attorneys to conduct a review of this file in order to determine which records, if any, are disclosable and they have informed us that

5/11/05 FOIA Parpouse

their office will need until Friday, May 20, 2005 to complete it City Clerk Lynda Jeffries will contact you by Friday, May 20, to your request.

Very truly yours,

Lynda L. Jeffries, CMC

City Clerk

FILE CON

10220 270TH Street NW Stanwood, WA 98292 (360) 629-2181

MAR 2 9 2005 CITY OF STANWOOD

REQUEST FOR DISCLOSURE OF PUBLIC RECORDS

Date March 29 2005
Requestor's Name Erik Abrahamson
Address 27/19 102 Dr NW
City STANWOOD State WA Zip 98292 Phone 360 629 3905
If emergency request, indicate date desired: THINRS DAY MARCH 31 Please Call 4554183774 When read to be present up OTTY MANIHOEK RECORDS REQUESTED:
RECORDS REQUESTED: EMPLOYMENT CONTRACT BETWEEN, GARY BROKEN
Title of Record AND THE CITY OF STANWOOD AND DESTAILS OF THE SENTLEMENT PRYOFF HATER TERMINATION
Date of Record SEPT, OR OCTOBER ± 1998
Please describe the records you are requesting and any additional information that will help us located them for you as quickly as possible.
ALL DETAILS RELATING TO THE REASONS FOR GARY
HAMSTRONGS TERMINATION - HOW MUCH I'ME
REMAINED ON HIS CONTRACT AND THE MONETARY SETTLEME
I certify that the lists of individuals obtained through this request for public records will not be used for commercial purposes.
Requestor's Signature Wruhumson
Number of copies
Number of pages AM PAGES RELATED TO THE PROJE
Per page charge #.(5
TOTAL CHARGE # 15
Person Receiving Request / Department

*Instructions for City Employee receiving request: have requestor complete form, then date stamp and forward to the Clerk Treasurer Department. All requests for disclosure of public records must be reviewed by the City Clerk Treasurer prior to being filled.

What Are Public Records?

A "public record" is defined to include,

... any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.¹⁷

"Writing" is also defined in the disclosure statutes:

"Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including, but not limited to, letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture, film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound recordings, and other documents including existing data compilations from which information may be obtained or translated.¹⁸

Whether private business records can relate to "conduct of government" has not been addressed by Washington courts. However, the Washington Supreme Court has held that where "records relate to the conduct of . . . [a public agency] . . . and to its governmental function. . . . [T]he records are 'public records' within the scope of the public records act."²⁰

Local governments are not required to create documents in order to comply with a request for specific information.²¹ Rather, they must produce existing records for review and copying. Also, local governments are not obligated to compile information from various records so that information is in a form that is more useful to the requestor. For example, if someone wants records concerning the time it took the city fire department to respond to residential fires occurring between midnight and 6:00 a.m. over a two year period, the city only needs to provide copies of existing records.²² City employees are not required to do research for private individuals.²³

¹⁷RCW 42.17.020(36).

¹⁸RCW 42.17.020(42).

¹⁹See Kenyon, *supra* note 4 (discussing private records that may become subject to the PDA though its use by a public agency).

²⁰Confederated Tribes of Chehalis Reservation v. Johnson, 135 Wn.2d 734, 748 (1998) (holding that records showing amount of community contributions paid by tribes under the terms of a tribal-state gaming compacts are within the scope of the PDA).

²¹Citizens for Fair Share, 117 Wn. App. at 435 (citing Smith v. Okanogan County, 100 Wn. App. 7, 13-44 (2000)).

²²Smith, 100 Wn. App. at 18.

²³Bonamy v. City of Seattle, 92 Wn. App. 403, 409 (1993).

Cos response to Erik A. Request \$15/05 se. E.R. hining 5/11/2005

10220 270th Street NW Stanwood, Washington 98292 (360) 629-2181 FAX (360) 629-3009

May 11, 2005

Erik Abrahamson 27119 102nd Drive NW Stanwood, WA 98292

Re:

Public Disclosure Request dated May 5, 2005 titled "Applications for employment of all candidates to be interviewed on the second attempt to fill the position prior to employment of Leslie Anderson."

Dear Mr. Abrahamson:

As you know, the City is required to make "public records available for inspection and copying," and the City must "upon request for identifiable public records, make them promptly available to any person." RCW 42.17.270. "Public records" are defined in RCW 42.17.020(36), and relate to "any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function, prepared, owned, used or retained by any state or local agency, regardless of physical form or characteristics." Therefore, the City is not required to create records in order to respond to citizen requests.

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With the above in mind, the following are the City's responses to your requests (as identified above):

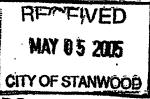
"There were at least three applicants who applied for the position of public works supervisor. Please forward copies of those applications of individuals who were interviewed." Records responding to this request are exempt from disclosure under RCW 42.17.310(1)(t) which states that "all applications for public employment, including names of applicants, resumes, and other related materials submitted with respect to an applicant" are exempt from public inspection or copying.

Very truly yours,

Lynda L. Jeffries, CMC

City Clerk

CITY OF STANWOOD 10220 270TH Street NW Stanwood, WA 98292 (360) 629-2181

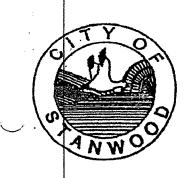


REQUEST FOR DISCLOSURE OF PUBLIC RECORDS

Date MAY 5 2005
Requestor's Name Erix Abrahamsen
Address 27/19 1721 Dr NW
City Stanwood State WA Zip 98292 Phone 340 629 5905
If emergency request, indicate date desired: As Secon AS Doss ISER, TKS
RECORDS REQUESTED: [ADVERTSEMENT & GURL fications for public works supervise Title of Record & ADVERTSEMENT & GURL freations for public works supervise
Date of Record Previous To Empsoyment of helis Anderson
Please describe the records you are requesting and any additional information that will help us located them for you as quickly as possible.
from applicants by the city. I wish for the exact Text of both describing expected qualities of the applicants and the two descriptions of the job to be folled
I certify that the lists of individuals obtained through this request for public records will not be used for commercial purposes.
Requestor's Signature
Number of copies
Number of pages
Per page charge \$.15
TOTAL CHARGE \$ 90
Person Receiving Request / Department
*Instructions for City Employee receiving request: have requestor complete form, then date stamp

and forward to the Clerk Treasurer Department. All requests for disclosure of public records must

be reviewed by the City Clerk Treasurer prior to being filled.



City of Stanwood

10220 - 270th Street NW Stanwood, Washington 98292 (360) 629-2181 or (360) 629-4577 FAX (360) 629-3009

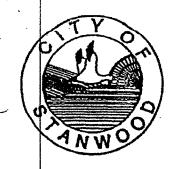
PUBLIC WORKS FOREMAN CITY OF STANWOOD

Min. 3 yrs exp in util or general maint & trades area 2-3 yrs superv exp., sewer/wtr cert. pref. \$3000-3750/mo DOQ Open until filled. Apply to: City of Stanwood, 10220 270th ST NW 98292 360-629-2181

PUBLISH EVERETT HERALD FRIDAY, SATURDAY AND SUNDAY, JANUARY 12, 13 & 14, 2001

FAX NO. 425-252-5613

Japa George 360-629-2181



City of Stanwood

10220 - 270th Street NW Stanwood, Washington 98292 (360) 629-2181 or (360) 629-4577 FAX (360) 629-3009

PUBLIC WORKS SUPERVISOR CITY OF STANWOOD

MIN. 3 YRS EXP IN UTILITIES, STREETS & PARKS MAINT. 2-3 YRS SUPERV EXP., WTR CERT PREF. \$3200-3950/MO DOQ; CLOSING DATE 3/30/01. APPLY TO: CITY OF STANWOOD, 10220 270TH ST NW 98292 360-629-2181

PUBLISH SEATTLE TIMES SATURDAY, SUNDAY, MARCH 17 & 18 FAX NO. 206-464-2582

Jupe George 360-629-2181

PUBLIC WORKS FOREMAN POSITION DESCRIPTION

3260 - 3950

SALARY: \$3,000 - \$3,750/Month

STATUS: Exempt

GENERAL PURPOSE

Supervises, plans, directs and organizes the operation/maintenance activities of the water, sewer, street and parks functions within the Public Works Department.

SUPERVISION RECEIVED

Works under the immediate supervision of the Public Works Director.

SUPERVISION EXERCISED

Exercises close supervision over City maintenance workers and equipment operators. The number of workers supervised currently consists of nine full time employees and several seasonal employees. Primary emphasis is on the purposeful supervision of work teams engaged in various public works activities relating to water, sewer, street and park maintenance. Incumbent will develop effective working relationships with program officials, as well as with City employees and the general public.

ESSENTIAL DUTIES AND RESPONSIBILITIES

Work is performed with considerable latitude for independent judgment and action. Assignments are received in the form of oral instructions, work orders, established maintenance and service schedules, blueprints, sketches and rough notes. Requires the application of sound judgment and the application of technical engineering, trades and craft techniques and practices in a wide variety of public works activities. Work is reviewed for supervisory effectiveness, quality and timeliness of completed projects and conformance with governing laws, ordinance and local policies and procedures.

Supervises public works crews in a wide variety of tasks, such as maintenance and repair of water mains, pumps, motors, main line valves, fire hydrants, meters and storage tanks, meter reading, operating and servicing heavy road and construction equipment and light motor vehicles, cleaning roadside ditches, culverts and catch basins, repairing streets, guardrails and sidewalks, installing and repairing street and traffic control signs, payment striping, brush cutting and

tree trimming, clearing snow, ice and slide debris from streets and walks, maintenance of buildings and grounds, upkeep of city parks and maintenance and repair of sewer lines, pumps and related facilities.

Requisitions necessary supplies and services for operations in an efficient and effective manner; ensures compliance of with City purchasing policies and manages costs within allowable budgets.

Provides on-site direction and guidance to employees during assignments and inspects work in progress and upon completion, to insure compliance with work standards and local codes and proper safety techniques.

Analyses and troubleshoots problems such as street and sidewalk damage or obstructions, water and sewer main leaks and breaks, malfunctioning or inoperative water system pumps, motors, controls and water systems overload or misuse.

Plans/schedules daily work assignments and establishes work priorities. Periodically inspects tools and equipment to insure proper care and maintenance is being performed.

Prepares periodic work progress reports, maintains required records, logs, maps, blueprints and charts. Verifies employee time and attendance records.

DESIRED MINIMUM QUALIFICATIONS

Education and Experience:

- (a) Graduation from high school or GED equivalent, and
- (b) Minimum three years of progressively responsible work experience in the utilities or general maintenance and trades area, with 2-3 years supervisory experience. Any equivalent combination of education and experience.
- (c) Certifications in water and/or wastewater preferred.

Necessary Knowledge, Skills and Abilities:

- (a) Thorough knowledge of materials, methods and techniques commonly used in construction, maintenance and repair activities, as relates to assigned areas of specialization.
- (b) Thorough knowledge of the occupational hazards and safety standards and practices applicable to the work being supervised.

(c) Good knowledge of Federal, State and local regulations and standards and of City and department policies and procedures.

(d) Good knowledge of the properties, utilization and care of the materials, tools and equipment used by the employees supervised.

- (e) Ability to efficiently and effectively supervise and coordinate skilled, semi-skilled and unskilled employees performing a wide variety of maintenance, repair and service functions.
- (f) Ability to make sound and timely recommendations for project implementation, and/or modification based upon established department plans and results of personal observations and needs analysis.

(g) Ability to read charts, diagrams and blueprints.

(h) Ability to communicate orally and in writing and establish and maintain effective working relationships with management, employees and the general public.

SPECIAL REQUIREMENTS

Valid State Drivers License, or ability to obtain one.

TOOLS AND EQUIPMENT USED

Knowledge of operation and use of motorized vehicles and equipment, including dump truck, pickup truck, utility truck, tamper, plate compactor, saws, pumps, compressors, sander, generators, common hand and power tools, shovels, wrenches, detection devices, mobile radio, phone, ditch witch, etc. Skill in use of detection devices, mobile radio, phones, personal computer, including word processing and other software, copy and fax machine.

WORK ENVIRONMENT

Work is performed primarily outdoors involving moderate risks, discomfort, or unpleasantness such as high level noise, dust, grease or mud, moving vehicles or machines, cold and/or wet weather. Normal safety precautions are required and may wear some protective clothing and equipment, such as rain and snow gear, boots, goggles and gloves.

PHYSICAL DEMANDS

Work requires some physical exertion, such as long periods of standing, walking over rough, uneven surfaces and recurring bending, crouching, stooping and reaching and occasional lifting of moderately heavy items. Work requires average physical agility and dexterity.

SELECTIONS GUIDELINES

Formal application, rating of education and experience; oral interview and reference check; job related tests may be required.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or logical assignment to the position.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

PWK BLDG

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AG BAK TREATMENT EWER

FILE COM

10220 270TH Street NW Stanwood, WA 98292 (360) 629-2181

MAR 2 9 2005 CITY OF STANWOOD

REQUEST FOR DISCLOSURE OF PUBLIC RECORDS Requestor's Name Erik Abrahamson City STANWOWS State WH If emergency request, indicate date desired: f.RT. Please Oall 4254183774 When read stoll RECORDS REQUESTED: - CONTRACT BETWEEN, GARY Title of Record AND THE CITY OF STANWOOD AND DETAILS OF THE SETTLEMENT PAYOFF AFTER TERMINATION Date of Record SEPT, OR OCTOBER I Please describe the records you are requesting and any additional information that will help us located them for you as quickly as possible. ALL DETAILS RELATING TO THE REASONS FOR GARY ARMSTRONGS TERMINATION - HOW MINGH TIME MAINED ON HIS CONTRACT I certify that the lists of individuals obtained through this request for public records will not be used for commercial purposes. Requestor's Signature _ Number of copies_ Number of pages AM PAGES RELATED TO THE PROUE Per page charge \$.(5 TOTAL CHARGE (\$), 15 Person Receiving Request / Department

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City of Stanwood

10220 270th Street NW Stanwood, Washington 98292 (360) 629-2181 FAX (360) 629-3009

May 11, 2005

Erik Abrahamson 27119 102nd Drive NW Stanwood, WA 98292

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their office will need until Friday, May 20, 2005 to complete its review of this file. City Clerk Lynda Jeffries will contact you by Friday, May 20, 2005 with a response to your request.

Very truly yours,

Lynda L. Jeffries, CMC

City Clerk

To: Stephanie Hansen Cleveland AND Incoming Mayor Ms Diane White

From: Warren Bohon

Subject: Reporting Improper Governmental Action

Date: 12/13/05

I am herein officially notifying you in writing that I am seeking protection against "RETALIATION FOR REPORTING IMPROPER GOVERNMENTAL ACTIONS"

I do it in this manner in another Good Faith effort to resolve this issue "IN-HOUSE" rather than escalating it to "OUTSIDE AGENCY'S".

My reading and understanding of the City of Stanwood's (COS) Personnel Manual that addresses the" Procedure For Seeking Relief Against Retaliation "affords me rights that cannot be superseded by either Mayor Kuhnly or Bill Beckman (BB). That section of the COS personnel manual addresses "an employees belief that an improper action has occurred".

It specifically provides him 125 days to have that belief evaluated and determined by an Administrative Law judge (ALJ) Not Mayor Kuhnly And Not Bill Beckman.

It is my understanding that the decision of an ALJ is then appeal'able to Superior Court, Court Of Appeals, State Supreme Court, and U.S. Supreme Court, Not Mayor Kuhnly and Not Bill Beckman.

The last two sentences of the COS Personnel Manual, Section 10, read as follows, ----------"Officers, Mangers, and Supervisor are responsible for ensuring the procedures are fully implemented within their areas of responsibility", and, "Violations of this policy and these procedures may result in appropriate disciplinary action, up to and including termination".

On December 8, 2005 Mayor Kuhnly had issued to me, via Bill Beckman and yourself a letter proving Mayor Kuhnly and Bill Beckman themselves had determined "my belief that COS actions constituted an illegal retaliatory action", (quotation marks are quoting my claim).

Undisputedly the underlying circumstances and occurrences will prove, by a Preponderance of Evidence that Mayor Kuhnly and Bill Beckman are Prejudicially Biased parties who if allowed to succeed in their efforts to terminate my employment will be found to be a violation of "The Appearance Of Fairness Doctrine", and / or "Due Process Of Law" to which I am entitled.

It is my belief and therefore my claim that Mayor Kuhnly's letter is a Pretextual Attempt to escape the liabilities that could be assessed against himself, Bill Beckman, and the COS if I prosecute this matter beyond "IN HOUSE" determination.

Stephanie, you are aware of my age. It is important that you, as an involved party, ensure that mayor Kuhnly and Bill Beckman are aware of it.

To terminate a person my age is the severest act an employer can do to an employee.

If the COS proceeds to terminate my employment I will be fully justified in seeking the severest of penalties be assessed against all relevant parties.

Termination of their employment and claim of personal liability will be pursued by me in addition to liability of "The City OF Stanwood".

1/61 ->

As I advised you over two weeks ago, I am today submitting a request for approval of vacation.

The stress and anxiety the Cities actions have caused me in threatening my livelihood, my safety and my future welfare, warrant approval of this request.

I am advised by Tim Nordtvedt that he has arranged matters so that my being away from the job will not cause undue inconvenience to the City Of Stanwood.

For the City to disturb or relocate my office during the time I am away and / or to terminate my employment given the existing Circumstances will be further proof of illegal, pretextual acts, done in BAD FAITH.

This letter will be turned into the City well within 30 days of December 8, 2005 and prior to 1:30 pm December 13, 2005

City of Stanwood Memorandum

TO:

Mayor Herb Kuhnly

FROM:

Stephanie Hansen, Community Development Director

CC:

Bill Beckman, City Administrator/Public Works Director

Lynda Jeffries, City Clerk/Human Resources Director

SUBJECT:

Recommendation for Termination of Warren Bohon's Employment

DATE:

December 20, 2005

Per Policy 9.3 of the City of Stanwood's Personnel Policy Manual, I am recommending the termination of Warren Bohon's employment with the City. Mr. Bohon currently holds the position of Building Inspector/Code Enforcement Officer.

Termination of Mr. Bohon's employment is recommended as the disciplinary action resulting from the following conduct as enumerated in the Personnel Policy Manual:

- 9.1.6 Loitering after completing day's work, which results in the disruption of the City's business or the work effort of other employees.
- 9.1.10 Making malicious, false, or derogatory statements that are intended or could reasonably be expected to damage the integrity or reputation of the City or our employees, on or off premises.
- 9.1.11 Insubordination, including a refusal or failure to perform assigned work.

Mr. Bohon has organized at least one off-hours meeting and engaged with Public Works employees and city council members in order to discredit and undermine the work efforts and reputations of Mr. Bill Beckman, City Administrator/Public Works Director, and Mr. Les Anderson, Public Works Supervisor. He has made several written and verbal unsubstantiated and/or false derogatory statements intending to damage the integrity of these two persons and to undermine their supervisory authority. Most recently he has refused to relocate his work space to City Hall per both my and the Mayor's direct orders.

I recommend termination of Mr. Bohon's employment, and a that you schedule a pretermination hearing with yourself and Mr. Bohon at your earliest convenience, leaving enough notice to Mr. Bohon to prepare for the meeting. The purpose of that meeting would be to give Mr. Bohon the opportunity to provide you any other information he deems relevant before you make any final decision on my recommendation.

I am available for any questions you have regarding this memo.					
Thank you.					
And the second of the		s come report to the con-			•
			•		

City of Stanwood Memorandum

TO:

Mayor Herb Kuhnly

FROM:

Stephanie Hansen, Community Development Director

CC:

Bill Beckman, City Administrator/Public Works Director

Lynda Jeffries, City Clerk/Human Resources Director

SUBJECT:

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DATE:

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URGENT OVER ->

40.16.030 6 Hering folse instrument for enstrumen thousand dollars, or both 20 MP

January 26, 2006

Mr. Warren Bohon 881 E. Port Susan Terrace Camano Island, WA 98282

Re: Returning of City Property

Dear Mr. Bohon:

As you are aware, your employment with the City of Stanwood terminated on January 13, 2006. To date you have not returned any of the city property in your possession. Please return the following items by January 30, 2006:

- 1. Building keys
- 2. Car keys
- 3. City ID badge
- 4. Cell phone
- 5. Any other city property in your possession

Sincerely,

Lynda L. Jeffries City Clerk/HR Director

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Memorandum

TO:

Mayor Matt McCune

FROM:

Stephanie Cleveland, Community Development Director

SUBJECT:

Building Inspector Salary Adjustment

DATE:

December 13, 2000

Matt,

Here's the paper work for Warren's salary adjustment per the 2001 budget. Please sign at the flag and return to me or Joyce. The adjustment is for \$250 per month beginning on January 1, 2001.

Thanksl

Warren

12/14/00

Stephanie

fast, and again

lown here

Correct

discussed

gesterday,

srobben

Warren Bohon



The Honorable Mayor H.W. Herb Kuhnly City of Stanwood 6/25/04

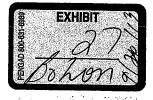
We, the employees of the Stanwood Public Works Department, have three grievances with the City all having to do with the questionable behavior of Leslie Anderson, the City's Superintendent of Public Works. Not included in those grievances has been a deeply seated concern among employees from the start of Anderson's employment about the questionable practice in which Leslie Anderson was selected for the position under the authority of Mayor McCune.

- 1. A very serious issue is "favoritism" that Les Anderson has practiced toward one specific employee. Anderson has allowed that employee to break rules and engage in wrong behavior with impunity. The rule governing bereavement leave was compromised. The most serious offense was the employee intentionally did not record correctly water meters to favor himself when assigned to read water meters for the City. When caught by staff that employee was given no reprimand. The office employee who caught the deception was reprimanded and now fears for her personal reputation.
- 2. Les Anderson is a "bully" type leader, who attempts to manage employees through the practice of intimidation as opposed to applying simple firm, positive leadership skill.
- 3. As a group, the employees of the Public Works Department have witnessed Les Anderson often talk in a demeaning way about other employees and tax paying citizens in the community as well behind their backs. Les Anderson does not characterize the model expected of a "public servant" paid by the taxpayers to "serve" the community.
- 4. As a group, we know from experience that Leslie Anderson is not qualified to be the Superintendent of Public Works. He exhibits carelessness about knowing what has to be done and that what has to be done be done well.
- 5. Under his supervision, Leslie Anderson has created a hostile environment among employees due to several acts of poor performance in handling his duties and then placing the blame on employees caused by his own failures to perform or incompetence.
- We have had numerous other issues directly pertaining to Leslie Anderson which
 continue to reflect on the bargaining unit's confidence in his abilities to remain as a
 supervisor.
- 7. A vote on the above issues resulted in an eight to one in favor of "no confidence" in Leslie Anderson remaining as Superintendent of Public Works for the City of Stanwood. The eight employees who so voted wish the "no confidence" results to be taken seriously by management by a serious investigation into Leslie Anderson's conduct which will likely lead to his replacement as Superintendent of Public Works. We as a bargaining unit are fully prepared to carry out the results of this vote to the highest level.

It should be pointed out that only in the last three years have we had such numerous issues and grievances in the Department of Public Works. Some of us have been with the City for quite a number of years and have a clear understanding of what a "public servant" is and how well the Department operates when managed competently. We strongly request that you review these matters and seriously consider terminating Leslie Anderson's employment as a public servant for the City of Stanwood.

Sincerely,

City of Stanwood Public Works Department Local 231



January 15, 2002

To: Stephanie Cleveland

From: Bill Beckman

Re: Office space at Public Works building

The need for additional space at the public works facility is becoming more and more of an issue. I need to move Jerry Cronin to that building immediately.

Currently Warren Bohan is occupying two separate office spaces. One of these spaces needs to be vacated to allow room for Jerry Cronin and his tools and equipment.

I would much prefer the other space also be vacated to allow for a needed locker room and changing area downstairs and move the water crew to the upstairs office, resulting in a much more efficient operation.

am wondering if Warren could move to City Hell with Tim. It would seem like a very good arrangement since they work together anyway and both are currently part time positions. I realize this will mean the office at City Hall will have three people (engineer) working out of it, but again all are part time positions and they will occupy the office on different days.

Please give this matter your attention at your earliest convenience and get back to me. Thanks.



Date: November 10, 2001 To: Stephanie Cleveland trom: Warren Bohon of experience managing employees and Consequently stay attend to the I research regarding management The most recent and Compréhensive management research proves that it important to oblain imput from all fairlies affected before making a find decision that will impact them. important that before any

ىر كىد

Status Change of my office area occurs I be given the opportunity to fully present relative information. as you are aware participant Schedule Conflicts prevented this before I leave for vacation. you assured me on Tuesday on my return from vacation, before any further action is taken, so I leave religing il appreciate four gung

will not allow anyone

WARREN BOHON
881 East Port Susan Terrace
Camano Island WA 20000

Camano Island, WA 98292 206/387-0596 - 206/778-7985

April 9, 1992

Personnel Department City of Stanwood Stanwood, WA

Re: Assistant Codes Inspector position

Dear Sir:

My nature is to be an active worker and I find I am too young to enjoy retirement from a regular work schedule. I miss the working environment and the everyday awareness of advancements in construction-materials-technology, energy conservation, environmental matters and new zoning methodology.

My circumstances, background and interests lend themselves well to meet the need expressed in your advertised job opportunity as an Assistant Codes Inspector and I am very interested in obtaining the required International Conference of Building Officials (ICBO) certification. I have the flexibility to work either part-time as presently advertised or full-time as need may later demand. I enjoy a long-standing marriage to the same person, qualify as a nonsmoker, non-drinker, use no drugs, and have an excellent credit record and am bondable if necessary.

Because of no pressing demand at either location, my time is spent about 50% on Camano Island in a small fully equipped cabin and 50% in a full-size residence in Edmonds. I spend increasingly more time at the Camano Island location due to its ultimate establishment as a full-time residence. I could readily reside and work from there at any time hereafter.

I enthusiastically look forward to your notification to appear for a personal interview. Thank you for your time in reviewing these application documents.

> Respectfully yours, Warren E. Bohon

Warren E. Bohon

Enclosure: Application for Employment

Employment Resume

Corporal

PRESENT MEMBERSHIP IN

NATIONAL CLASS OF RESERVES

U.S. MILITARY OR NAVAL SERVICE

USMC

FORMER EMPLOYERS (LIST BELOW LAST FOUR EMPLOYERS, STARTING WITH LAST ONE FIRST).

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2 G	rald E. Hal	ı	2107 142nd S.E.		Buyer			
		-	Mill Creek, WA 9801 3005 Rainier Ave. So	2	Boein Presi	g Airplane	Co.	44
_ Ge	cil Leung		Seattle, WA 98144		IRCO			19
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application	n for Employment	Form is sold for general	ora theorem and distributed for a	yoursilt	hi actics	iama brouipitiu	g employment dis	crimination. This

Application for Employment Form is sold for general use throughout the United States. TOPS assumes no responsibility for the inclusion in said form of any questions which, when asked by the Employer of the Job Applicant, may violate State and/or Federal Law.

WARREN BOHON

881 East Port Susan Terrace Camano Island, WA 98292 206/387-0596 - 206/778-7985

EMPLOYMENT RESUME

Remodel and rehabilitation of owned rental property. 1989 - Present

This has involved zoning code research, familiarity and compliance. It has also involved attendance at LID proposal hearings and adjacent or contiguous property owner involvement during the full course of LID improvements. Included also was familiarity with building and soil structure integrity, energy conservation, waste elimination, water supply and electrical utilities in relation to urban, suburban and waterfront properties.

ARCO. November 1964 - took retirement November 1989

My employment with ARCO was split 50% in product distribution throughout the state of Washington and 50% as a marketing representative in the northwest part of the state. My marketing responsibilities involved market research, site feasability, zoning regulation and new and remodel constructions to meet the building and zoning codes of cities such as Seattle, Issaquah, North Bend, Renton, Woodinville and Alderwood Manor. I had responsibility for finding, purchasing, designing and construction of service stations and bulk plants and the overseeing of their operations once completed. This involved working with architects, design engineers, contractors, city building departments and inspectors in relation to zoning codes. I placed third on the west coast in obtaining new accounts and was regularly in the top third percentile in other business contests.

Melrose Auto Service. July 1957 - November 1964

I progressed to manager and left that job when the facilities were scheduled for removal to construct a multi-story office building. I worked there full-time six days per week and attended college evening classes in architectural drawing, surveying, electronics, land use and appraisal of real estate. I completed the Shoreline Community College real estate degree program and was on the Dean's honor list while employed full time.

Military.

While in the service I qualified as a member of the U.S.M.C. rifle team, participating in United States southwest regional matches. I also graduated from a 6-month amphibious vehicle maintenance school, and a 2-week atomic biological and chemical warfare school. I was a non-commissioned officer (NCO) crew chief on an amphibious vehicle. I received an honorable discharge with a good conduct medal and recommendation for re-enlistment.

References - Continued

James L. Rondeau 886 E. Port Susan Terrace, Camano Island 98292 Acquainted 19 years

Former Director of Labor and Industries for the State of Washington and National Director of Personnel Planning for Scott Wetzel Services, Inc., a national organization providing support services to agents, brokers and corporate risk managers (retired)

Presently Vice President of the International Boxing Federation



City of Stanwood

10220 270th Street NW Stanwood, Washington 98292 (360) 629-2181 FAX (360) 629-3009

December 27, 2005

Mr. Warren Bohon

881 E. Port Susan Terrace Camano Island, WA 98282

Re: Scheduling of Pre-Termination Hearing

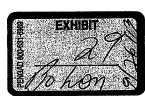
Dear Warren:

Please be advised that I have reviewed Ms. Hansen's memo dated December 20, 2005 recommending the termination of your employment with the City of Stanwood. Termination was recommended as the disciplinary action resulting from the following conduct as enumerated in the Personnel Policy Manual:

- 9.1.6 Loitering after completing day's work, which results in the disruption of the City's business or the work effort of other employees.
- 9.1.10 Making malicious, false, or derogatory statements that are intended or could reasonably be expected to damage the integrity or reputation of the City or our employees, on or off premises.
- 9.1.11 Insubordination, including a refusal or failure to perform assigned work.

After reviewing the information, it appears there is sufficient cause to proceed with a pretermination hearing. Your hearing is scheduled for January 9, 2006 at 3:30 p.m. at the Stanwood Fire Station (small conference room). Pursuant to section 9.3 of the Personnel Policy Manual, this is your opportunity to furnish additional facts before a termination decision is made. If you choose not to attend the pre-termination hearing, a decision will be made based upon the information we have. You may have one representative attend the hearing with you.

Mayor-elect Dianne White has been asked to attend the pre-termination hearing. She will be taking the Oath of Office on January 5th, 2006 and will be briefed on this matter prior



correct. · Sandy received return rect this afternoon. · Copied to But & Lynda.

to the hearing. Any final decision concerning your employment status will be made by Mayor-elect White.

Sincerely,

Mayor H.W. Kuhnly City of Stanwood

C: Bill Beckman, City Administrator/Public Works Director Stephanie Hansen, Community Development Director Lynda Jeffries, City Clerk/Human Resources Director

HWK: lj

PS Form 3811, February 2004	Domestic Reti	im Receipt		102595-02-M-15
2: Article Number (Transferfrom service (abel)				
		4. Restricted Delivery	? (Extra Fee)	□ Yes
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Mr. Darren Bohon				
1. Article Addressed to:		D. Is delivery address If YES, enter delive	different from item ery address below:	7.00
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UNITED STATES POSTAL SERVICE



Pirst-Class Mail Postage & Paes Paid USPS Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

City of Stanwood 10220 270th St. M.W. Stanwood, WA 98292

Attention: Stephanie

Memorandum

TO:

Warren Bohon, Building Inspector/Code Enforcement Officer

FROM:

Stephanie Cleveland, Community Development Director

SUBJECT:

Personnel Issue

DATE:

September 20, 2001

In response to your request of August 31, 2001, please find attached two memos. Both araddressed to the Mayor and Council regarding 2001 budget requests last year. The first draft of the memo, dated September 29, 2000, makes the case for a salary increase for your position for \$511 per month. The second memo, dated October 24, 2000, reflects the negotiated amount (\$250 per month). Unfortunately, the negotiations between the mayor and the department heads are not done in writing, but in meetings, so I cannot provide a written response from the Mayor as it does not exist. The second memo does, however, indicate that the second amount was due to budget cuts. If memory serves, over \$300,000 was cut from the proposed budget last year (all via verbal negotiations).

Thanks.



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Memorandum

TO:

Mayor Matt McCune

FROM:

Stephanie Cleveland, Community Development Director

Proposed 2001 Budget

SUBJECT:

DATE:

September 29, 2000

I am pleased to present you and the City Council with the proposed budgets for the Community Development and the Building Departments.

Next year promises to keep our departments busy, even busier than this year, although this hardly seems possible. In the beginning of the year, we are anticipating the annexation of nearly 400 acres (Cedarhome and TBD/Gedstad annexations). These will result in an immediate increase in platting activities, with an increase in building permit activity to follow late in the year and on into 2002.

To add to our workload, several State mandates will require Staff time and/or consultant contracts. These projects include the following:

GMA Comprehensive Plan Update. The Growth Management Act requires that cities review and update their Comprehensive Plans every five years. By September 1, 2002, cities must "take steps" toward that review. Our approach is to divide up this significant work in the years 2001 and 2002. The year 2001 will begin with revising the City's land use inventory, mapping the inventory, conducting and updated land use capacity analysis, revising the Land Use Element, and also revising the Natural Features Element.

This will set the stage for continued work in 2002, including review and revision of all the other elements, environmental (SEPA) review, public review, agency review, and adoption.

Consultants will be required for work on the plan in both years. We have allocated \$25,000 for work on the plan in 2001.

ESA. The long-awaited impacts of ESA will finally begin to surface in 2001. While rules for cutthroat trout are already in effect, those for Chinook salmon will go into effect on January 8, 2001. It will likely be necessary for the City to seek a "limit" from the National Marine Fisheries Service (NMFS) to continue both issuing permits for development and continuing road maintenance activities. How we go about this is still very much up in the air. There are three or four choices that I can discern at this time, and I will be convening a committee made of councilmembers, planning commissioners, staff, and citizens to help lead the City in the right direction.

Meanwhile, any chosen path will require that the City establish baseline conditions of its salmon resources and buffers and what is required to establish restoration goals. A large chunk of the proposed budget for professional services (\$30,000) will be directed toward this effort. This work will include hiring of a biologist to perform field assessments and compile a report that will serve as the scientific basis for future ESA-related regulations and decisions, as well as updates to the Comprehensive Plan's Natural Features Element and the Shoreline Master Program (see below).

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Shoreline Master Program Update. Also by September 1, 2002, cities are required to update their Shoreline Master Program and submit it to the State for review. The first step to this review is to conduct a shoreline inventory/assessment. Staff sees quite a bit of overlap between this field work that needs to be done, and work that falls under the "ESA" and "Best Avail. Science" categories. Therefore we propose to combine the field work for the three items. See discussion under "ESA" above.

Best Available Science. GMA also requires that cities incorporate "best available science" into the process when adopting policies and regulations that affect natural systems, especially ESAaffected streams. The state has defined best available science to include several different methods-first among them is field inventory prepared by a qualified biologist. Therefore, the study work proposed under "ESA" above will also serve to help the City meet the criteria for incorporating best available science into both the Natural Features Element of the Comp Plan and future regulations.

Buildable Lands. City Staff will be working with Snohomish County collecting data, checking maps, verifying assumptions, etc.

Stalling

The proposed budget shows several adjustments to salaries, for an increase of \$14,991 over 2000 actual levels. Increases are proposed for the following employees as follows:

Planner: Due to lack of office space, no new permanent staff is proposed to handle the increase in work load. Instead, the planner position will be increased to .8 FTE on an as-needed basis. In addition, we propose to contract with a recently retired local planner to handle any overflow plats or current planning applications. The work related to the long-range State mandates listed above will be directed to consultants, where greater expertise can be obtained. Increasing the planner position to 4 days/week for 6 months results in at încrease of \$3,792 for the year.

Building Inspector/Code Enforcement Officer: The City's Building Inspector has been working for the City for 8 years, earning \$2800/month split between the Community Development Department and the Building Department. His salary is at the low end of the stated range of salaries for Inspectors/Code Enforcement Officers in small cities. However, his salary is \$705 befow the low end of the average actual salary for the cities. It is \$511 less than the average low end of actual salaries for five comparative cities (Arlington, Burlington, Duvall, Lake Stevens, and North Bend). Warren Bohon, the incumbent employee, is an excellent inspector with years of experience, but he lacks formal certification. A certified inspector with his experience should be paid at a mid-range or higher. Because of the lack of certification I propose a correction to bring his salary to the average low salary of the five cities, for a total increase of \$6,132 between the two departments for the year. In the event that Mr. Bohon gains the required certifications, an additional increase in his salary for 2002 may be proposed during the next budget cycle.

Permit Coordinator: The split between Building, Community Development, and Public Works is proposed for a change, as follows:

45% Building 40% CD

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CITY OF STANWOOD 10220 270TH Street NW Stanwood, WA 98292 (360) 629-2181

MAR 2 9 2005 CITY OF STANWOOD

REQUEST FOR DISCLOSURE OF PUBLIC RECORDS

Date March 29 2005
Requestor's Name Erik Abrahemson
Address 27/19 102 Dr NW
City Stanwood State WH Zip 98292 Phone 300 6293905
If emergency request, indicate date desired: March 31 2003 Please Telephone 425 4183774 when mature is ready to be picked a RECORDS REQUESTED: Copy of Emproyment Contract Bestivitin Bill Title of Record Beckman and the City J STENWOOD
Date of Record NOVEMBER OF DECEMBERT 1998 Under 1999
Please describe the records you are requesting and any additional information that will help us located them for you as quickly as possible.
MAS SELECTED TO REPLACE GARY ARMSTRONGS DUTTES
AS PUBLIC WORKS DIVERLITOR PLUS ALL DETAILS,
RELATING TO THE SELECTION PROCESS TO BECOME (ITY)
I certify that the lists of individuals obtained through this request for public records will not be used for commercial purposes.
Requestor's Signature Mahamov

Number of copies/
Number of pages
Per page charge \$.15
TOTAL CHARGE 5.45
Person Receiving Request / Department
*Instructions for City Employee receiving request: have requestor complete form, then date stamp

and forward to the Clerk Treasurer Department. All requests for disclosure of public records must

be reviewed by the City Clerk Treasurer prior to being filled.



City of Stanwood

10220 270th Street NW Stanwood, Washington 98292 (360) 629-2181 FAX (360) 629-3009

April 18, 2005

Erik Abrahamson 27119 102nd Drive NW Stanwood, WA 98292

Re:

Public Disclosure Request dated March 29, 2005, titled "Copy of employment contract between Bill Beckman and the City of Stanwood"

Dear Mr. Abrahamson:

As you know, the City is required to make "public records available for inspection and copying," and the City must "upon request for identifiable public records, make them promptly available to any person." RCW 42.17.270. "Public records" are defined in RCW 42.17.020(36), and relate to "any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function, prepared, owned, used or retained by any state or local agency, regardless of physical form or characteristics." Therefore, the City is not required to create records in order to respond to citizen requests.

The City is allowed to charge a fee for the copying of public records, which is calculated in the manner set forth in RCW 42.17.300. The City is required to establish procedures to provide for full public access to public records, but also "to protect public records from damage or disorganization, and to prevent excessive interference with other essential functions" of the City. RCW 42.17.290.

With the above in mind, the following are the City's responses to your requests (as identified above):

- 1. "Copy of employment contract between Bill Beckman and the City of Stanwood." Enclosed is the employment contract between Bill Beckman and the City of Stanwood for the position of Public Works Director. For the position of City Administrator, the contract has yet to be finalized.
- 2. "All details related to the reasons Bill Beckman was selected to replace Gary Armstrong's duties as Public Works Director." There are no records in the city's files that respond to this request.

1/1/1

3. "...plus all details relating to the selection process to become City Administrator."

There are no records in the city's files that respond to this request.

11/

Very truly yours,

Lynda L. Jeffries, CMC

City Clerk

AGREEMENT BETWEEN Bill Beckman and the City of Stanwood

This agreement between the City of Stanwood, hereinafter referred to as "City" and Bill Beckman, hereinafter referred to as "Department Head" shall be effective from January 1, 2004 through December 31, 2005.

- 1. Purpose: The purpose of this agreement is to establish compensation, and provide for benefits, holidays, vacation, sick leave, compensatory time, termination and retirement/separation.
- 2. Compensation: Department Head shall receive a monthly salary as follows:

For the period January 1, 2004 through December 31, 2004 a monthly salary of \$5,770. Salary for the period January 1, 2005 through December 31, 2005 shall be determined upon completion of a performance evaluation by the Mayor.

3. Benefits: City will pay, in addition to the compensation set forth in Paragraph 2 above, the following benefits:

The City will pay 100% of the premiums for the Department Head and eligible dependents for the following insurances offered by the City through its membership in the Association of Washington Cities.

Medical: Regence Blue Shield, Plan A, January 1, 2004 through March 31, 2004; Plan B, April 1, 2004 through December 31, 2005 or Group Health Cooperative of Puget Sound, Copay Plan 1, January 1, 2004 through March 31, 2004; Copay Plan 2, April 1, 2004 through December 31, 2005 Dental: Washington Dental Service, Plan A Vision: Vision Service Plan, Full Family-No Deductible Group Life: Standard Insurance, \$10,000 Basic Life Policy. Long Term Disability: Standard Insurance, 60% Benefit after Ninety (90) Day elimination period

In addition to the above the City will pay the employer's portion of applicable payroll taxes and benefits for: social security, Medicare, retirement (PERS2), and L & I. The Department Head is also eligible to participate at his own costs via payroll deduction in the programs offered through the City for Standard Insurance Supplemental Life and the deferred compensation program offered through ICMA Retirement Corporation.

- 4. Reimbursement for Expenses: City will reimburse the Department Head for mileage, meals, lodging and educational expenses in connection with City business at the rates/amounts provided for in the Stanwood Personnel Policy Manual.
- 5. Holidays: Department Head shall be entitled to the holidays as set forth in the Stanwood Personnel Policy Manual.

6. Vacation: Vacation with full pay shall be accrued in equal monthly amounts according to the following schedule, placement on the schedule shall be based on an anniversary date of May 23, 1973:

Years of Service 1st through 5th year 6th through 10th year Number of Days per Year 12 days (96 hours) 15 days (120 hours)

After the tenth year one additional day (8 hours) per year shall be added to a maximum of 25 days (200 hours) per year. Vacation leave shall not be permitted to accrue in excess of 30 days (240 hours) plus the current calendar year accrual throughout the year, but in no event shall the total exceed 240 hours at December 31st of each year. Negative vacation balances will not be allowed.

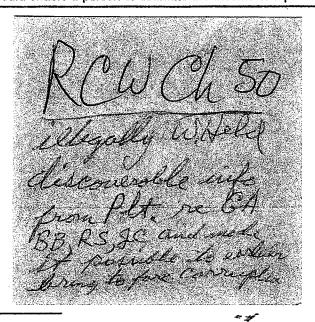
- 7. Sick Leave: The Department Head shall earn non-occupational sick leave at the rate of eight hours per month. Sick leave shall not be accrued in excess of 90 days (720 hours) at any time throughout the year.
- 8. Compensatory Time: The Department Head shall be allowed to accrue compensatory time at an hour for hour rate up to a total of 90 hours per calendar year. All unused compensatory time in excess of 80 hours as of December 31st of each year shall be forfeited without pay. Compensatory time shall accrue for Council Meetings, Council Workshops, Commission or Agency meetings, emergency call-outs, and related City activities.
- 9. Applicability of Personnel Policy Manual: The Department Head shall serve at the pleasure of the Mayor. Those provisions of the City of Stanwood Personnel Policy Manual relating to discipline and termination procedures shall not apply to this agreement. In the event of any other conflict between the terms of the personnel policy manual and this agreement, the terms and conditions of this agreement shall apply.
- 10. Termination: If Department Head is terminated for cause prior to completion of this contract, the Department Head will receive,
 - a) Severance pay in the amount of three months salary.
 - b) Balance of accrued vacation up to 240 hours at 100% of the hourly rate. The hourly rate shall be determined by dividing the current monthly salary by 173.3 hours.
 - c) Balance of compensatory time up to 80 hours at 100% of the hourly rate. The hourly rate shall be determined by dividing the current monthly salary by 173.3 hours.
- 11. Retirement/Separation: Upon retirement or separation under this contract the Department Head shall be compensated as follows:
 - a) Balance of accrued vacation up to 240 hours at 100% of the hourly rate. The hourly rate shall be determined by dividing the current monthly salary by 173.3 hours.

The Washington Supreme Court has interpreted RCW 42.17.340(4) to require a monetary penalty whenever an agency erroneously denies access to a public record.¹² The court reasoned that its interpretation was consistent with the Act's strong policy favoring "strict enforcement" of the award provision to discourage improper denial of public records.¹³ Therefore, a prevailing party is "... entitled to an award not less than \$5 and not more than \$100 for each day ... [a] ... report has been withheld." More recently, the Washington Court of Appeals held explicitly "... that a penalty of at least \$5 per day is now mandatory where an agency erroneously withholds a public record ...," whether it acted in good faith will not absolve the agency from this minimum penalty.¹⁵

Legal advice should be sought in situations where statutory requirements seem unclear. Fortunately, court decisions and attorney general opinions are available for guidance in this complex field. The public records disclosure statutes, along with the Open Public Meetings Act, ¹⁶ provide the foundation for open government. Such openness encourages public participation and awareness, and helps dispel fears that local government is not responsible or responsive to the people.

Question: Must the city disclose copies of the city's bank records?

Answer: Yes. The bank records concern public funds and should be disclosed upon request. There is one exception: if the city's bank accounts are kept in such a way that disclosure of a particular account record would reveal exempt tax information, then that data should not be disclosed. For instance, if a city has only two or three motels, disclosure of hotel/motel tax revenue could enable a person to estimate the income of a particular taxpayer.



¹²Amren v. City of Kalama, 131 Wn.2d 25, 37 (1997).

¹³ ld.

^{14/}d.

¹⁵King County v. Sheehan, 114 Wn. App. 325, 355 (2002); see also Yousoufian v. Office of King County Executive, 114 Wn. App. 836, 846–47 (2003) ("Once a violation of the PDA has been established, courts are required to award reasonable attorney fees and statutory penalties."); Citizens For Fair Share v. State Dept. of Corrections, 117 Wn. App. 411, 437 (2003).

¹⁶See Chapter 42.30 RCW.

- b) Balance of compensatory time up to 80 hours at 100% of the hourly rate. The hourly rate shall be determined by dividing the current monthly salary by 173.3 hours.
- c) One third (33%) of accrued sick leave at 100% of the hourly rate. The hourly rate shall be determined by dividing the current monthly salary by 173.3 hours.
- 12. Duration: This agreement shall be in full force and effect from January 1, 2004 through December 31, 2005.
- 13. Jurisdiction/Venue/Applicable Law: This contract shall be interpreted under the laws of the State of Washington. Venue of any action brought to enforce the terms of this contract shall be Snohomish County, Washington.
- 14. Alternative Dispute Resolution: Prior to commencement o any legal action to enforce the terms and conditions of this agreement, the parties agree to submit any dispute arising hereunder to the Dispute Resolution Center of Snohomish County. The parties shall each pay one-half of the cost of said mediation.
- 15. Prevailing Attorney's Fees: In any legal action brought to enforce the terms and conditions of this contract the prevailing party in any said legal action shall be entitled to reasonable attorney's fees and costs.

Executed this 30 day of January 2004.

City of Stanwood

H. W. Kuhnly, Mayor

Rill Reckman PW Director

FILE CON

CITY OF STANWOOD 10220 270TH Street NW Stanwood, WA 98292 (360) 629-2181

RECEIVED
MAR 2 9 2005
CITY OF STANWOOD

REQUEST FOR DISCLOSURE OF PUBLIC RECORDS

Date_//larch 29 2005
Requestor's Name Erik Abrahamson
Address 27/19 102 102 Dr NW
City STANWOUS State WAZip 98292 Phone 360 629 3905
If emergency request, indicate date desired: 1.R. may Hyrar /
Please Call 4354183774 When ready to be proceed up CITY MANHGER. RECORDS REQUESTED: EMPLOYMENT CONTRACT BETWEEN, GARY BRINGTON
Title of Record AND THE CITY OF STANWOOD AND DETAILS OF THE SETTLEMENT PAYOFF AFTER TERMINATION
Date of Record SEPT. OR OCTOBER ± 1998
Please describe the records you are requesting and any additional information that will help us located them for you as quickly as possible.
ALL DETAILS RELATING TO THE REASONS FOR GARY
HRMSTRONGS TERMINATION - HOW MINCH TIME
KEMAINED ON HIS CONTRACT AND THE MONETORY SETTLEME,
The state of the s
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I certify that the lists of individuals obtained through this request for public records will not be used for commercial purposes. Requestor's Signature Number of copies Number of pages AM PAGES REMARED TO THE PROOF

*Instructions for City Employee receiving request: have requestor complete form, then date stamp and forward to the Clerk Treasurer Department. All requests for disclosure of public records must be reviewed by the City Clerk Treasurer prior to being filled.



City of Stanwood

10220 270th Street NW Stanwood, Washington 98292 (360) 629-2181 FAX (360) 629-3009

May 11, 2005

Erik Abrahamson 27119 102nd Drive NW Stanwood, WA 98292

Re:

Public Disclosure Request dated May 5, 2005 titled "Applications for employment of all candidates to be interviewed on the second attempt to fill the position prior to employment of Leslie Anderson."

Dear Mr. Abrahamson:

As you know, the City is required to make "public records available for inspection and copying," and the City must "upon request for identifiable public records, make them promptly available to any person." RCW 42.17.270. "Public records" are defined in RCW 42.17.020(36), and relate to "any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function, prepared, owned, used or retained by any state or local agency, regardless of physical form or characteristics." Therefore, the City is not required to create records in order to respond to citizen requests.

The City is allowed to charge a fee for the copying of public records, which is calculated in the manner set forth in RCW 42.17.300. The City is required to establish procedures to provide for full public access to public records, but also "to protect public records from damage or disorganization, and to prevent excessive interference with other essential functions" of the City. RCW 42.17.290.

With the above in mind, the following are the City's responses to your requests (as identified above):

1. "There were at least three applicants who applied for the position of public works supervisor. Please forward copies of those applications of individuals who were interviewed." Records responding to this request are exempt from disclosure under RCW 42.17.310(1)(t) which states that "all applications for public employment, including names of applicants, resumes, and other related materials submitted with respect to an applicant" are exempt from public inspection or copying.

Very truly yours,

Lynda L. Jeffries, CMC

City Clerk

City of Stanwood Memorandum

TO:

Mayor Herb Kuhnly

FROM:

Stephanie Hansen, Community Development Director

CC:

Bill Beckman, City Administrator/Public Works Director

Lynda Jeffries, City Clerk/Human Resources Director

SUBJECT:

Recommendation for Termination of Warren Bohon's Employment

DATE:

December 20, 2005

Per Policy 9.3 of the City of Stanwood's Personnel Policy Manual, I am recommending the termination of Warren Bohon's employment with the City. Mr. Bohon currently holds the position of Building Inspector/Code Enforcement Officer.

Termination of Mr. Bohon's employment is recommended as the disciplinary action resulting from the following conduct as enumerated in the Personnel Policy Manual:

- 9.1.6 Loitering after completing day's work, which results in the disruption of the City's business or the work effort of other employees.
- 9.1.10 Making malicious, false, or derogatory statements that are intended or could reasonably be expected to damage the integrity or reputation of the City or our employees, on or off premises.
- 9.1.11 Insubordination, including a refusal or failure to perform assigned work.

Mr. Bohon has organized at least one off-hours meeting and engaged with Public Works employees and city council members in order to discredit and undermine the work efforts and reputations of Mr. Bill Beckman, City Administrator/Public Works Director, and Mr. Les Anderson, Public Works Supervisor. He has made several written and verbal unsubstantiated and/or false derogatory statements intending to damage the integrity of these two persons and to undermine their supervisory authority. Most recently he has refused to relocate his work space to City Hall per both my and the Mayor's direct orders.

I recommend termination of Mr. Bohon's employment, and a that you schedule a pretermination hearing with yourself and Mr. Bohon at your earliest convenience, leaving enough notice to Mr. Bohon to prepare for the meeting. The purpose of that meeting would be to give Mr. Bohon the opportunity to provide you any other information he deems relevant before you make any final decision on my recommendation.



I am available for any questions you have regarding this memo.					
Thank you.					
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